**Grievance Policy/Disciplinary Procedure**

Barking Pre-school is committed to an open and honest method of working. It is hoped that any issues arising will be swiftly resolved following an informed, but full, frank and fair discussion. If this proves unsatisfactory, the grievance policy will be operated as follows:

**Minor Breaches**

* Where employees of the setting are deemed to have committed minor breaches, the parent/carer should approach the Pre-school Manager – SHELLEY SYMONDS
* If this does not have a satisfactory outcome within an agreed time span, or if the problem recurs, concerns should be put in writing requesting a meeting with both the pre-school Manager and the chair of the committee. If required both the Manager and parent may ask a partner or friend to attend the meeting and a written record of the discussion will be made and kept on file by the committee.

**Major Breaches**

* Where the grievance may concern more serious breaches the Pre-school Manager will notify the committee.
* A panel of not less than three representatives of the committee will invite the parent/carer to attend a meeting to discuss the grievances.
* Should an employee be involved they will be invited to attend a disciplinary meeting, where they be able to discuss the grievance and have the right to be accompanied.

**Disciplinary Procedure**

The disciplinary procedure is designed to ensure fair treatment for those whose job performance is below requirements and those involved in breaches of discipline.

Depending upon the seriousness of the case, the disciplinary procedure may be entered into at any of the stages outlined below. Except for instances of gross misconduct, dismissal will not be the first stage.

In general, particular short comings on the part of the employee in meeting job requirements or standards, will be initially brought to his/her attention by the Pre-school Manager in informal conversations accompanied by the offer of assistance towards achieving improvement.

**Guidelines for the conduct of disciplinary meetings**

Employees have the right to be accompanied by a fellow employee, friend or family member if they so wish, at any meeting held under the disciplinary procedure.

The Committee will state the reasons for invoking the disciplinary procedure, the disciplinary action to be taken and the corrective action required from the employee, together with a specified date by which acceptable improvement should be made.

Full opportunity will be given to the employee to state his/her case.

The employee will be advised of the full disciplinary procedure including the provisions for appealing against disciplinary action and the consequences that will follow if acceptable improvement is not made.

**Stages of Disciplinary Procedure**

1. **Oral Warning**

Should an employee’s conduct or performance remain less than satisfactory after an informal warning, the situation will be formally reviewed with his/her immediate Pre-school Manager. This will be discussed in full and ways suggested in which he/she may improve the situation. The Pre-school Manager will keep a written record of this meeting.

1. **Written Warning**

If the employee’s conduct or performance remains less than satisfactory in relation to the agreed improvement plan made at Stage 1, the situation will be formally reviewed with him/her by the Chairperson and Pre-school Manager.

Following this meeting, the employee will receive a letter from the Chairperson and Pre-school Manager recording the nature and outcome of the meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of action for improvement and deadline dates for achievement and a copy of the letter will be held in the employee’s personal file.

1. **Final Written Warning**

If the employee’s conduct or performance fails to meet the standards established at Stage 2, the situation will be reviewed with the employee by the Chairperson and Pre-school Manager.

Following this meeting, the employee will receive a letter from the Chairperson and Pre-school Manager recording the nature and outcome of the meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of action for improvement and deadline dates for achievement and a copy of the letter will be held in the employee’s personal file.

1. **Dismissal**

If the employee’s conduct or performance fails to meet the standards established at Stage 3 the situation will be reviewed with the employee by the Chairperson and Pre-school Manager.

The decision to dismiss an employee must have the agreement of both the Chairperson and Pre-school Manager prior to the implementation. The decision will be confirmed in writing and this letter will also confirm details of whom any appeal should be made and the details of the procedure to follow.

**Summary Dismissal**

In cases of gross misconduct, OFSTED will be notified and the employee immediately suspended on full pay until the disciplinary meeting has been held and the issue resolved. Examples of actions which are likely to be treated as gross misconduct include:

* Fighting at work or hitting a colleague
* Smacking a child or rough handling
* Alcohol abuse
* Theft

When gross misconduct is suspected, the employee will normally be suspended on full pay for a maximum of five working days to allow for an appropriate investigation in to the case. This investigation will be conducted by the nominated member of the committee (usually the Chairperson) to assure impartiality. This investigation will include meeting with the employee.

Following the investigation the employee will be asked to attend a meeting with the Pre-school Manager. If the investigation has upheld the case for gross misconduct the employee will be summarily dismissed without notice or pay in lieu. The decision will be confirmed in writing and this letter will also confirm details of whom any appeal should be made and the details of the procedure to follow.

**Appeals against Disciplinary Action**

Any appeal against a disciplinary action must be made in writing within five working days of the disciplinary action.

An appeal against a written warning should be made to the Chairperson stating the reasons for non-acceptance of the warning. He/she will carry out a full review of the facts which may include a further meeting with the employee and management. Following this review, the Chairperson will reply in writing to the employee’s comments.

An appeal against dismissal should also be made in writing to the Chairperson. A review of the facts will be carried out and a written reply to the employee will be sent within five working days.

**Records**

A record of any disciplinary action taken will remain in the employee’s personal file for three years.

Signed: .................................................................... Date: .............................

Chairperson