

# PEMBURY SCHOOL HOUSE NURSERY



## INFORMATION AND RECORDS Disciplinary & Dismissal Procedure

### *Statement of Intent*

This document details the procedure that would be followed in the event of concerns regarding the conduct of staff.

The disciplinary process also indicates the standards of performance and behaviour at work that can reasonably be expected from employees.

It is impossible to list all possible acts of indiscipline, which could occur in any employment and it should therefore be noted that the rules indicated below are not exhaustive and can serve only as a guide.

Where the steps refer to practitioner, it includes all staff.

Where the steps refer to supervisor, it includes Head of Nursery, Deputy or trustees

### *Aim*

The intention is that potential disciplinary cases be dealt with at an early stage, with a view to resolving problems as quickly and fairly as possible.

### *Methods*

To meet this aim, we operate the following Disciplinary & Dismissal Procedure:

#### *Stage 1*

##### *Verbal Warning*

- In the first instance, the practitioner will be given a formal, verbal warning (for minor offences), by their immediate supervisor.

#### *Stage 2*

##### *Written Statement*

- Should Stage 1 not have a satisfactory outcome, or if the problem recurs, the supervisor can set out in writing, the alleged conduct or characteristics, or other circumstances which lead them to contemplate dismissing or taking disciplinary action against the practitioner (for repeated minor offences or a more serious offence).
- The supervisor must send the statement, or a copy of it to the practitioner and invite the employee to attend a meeting to discuss the matter.

#### *Stage 3*

##### *The Meeting*

- The meeting must take place before action is taken, except in the case where the disciplinary action consists of suspension.
- The meeting must not take place unless:
  - the supervisor has informed the practitioner what the basis was for including the ground or grounds given in the statement; and
  - the practitioner has had a reasonable opportunity to consider their response to that information.

- The practitioner must take all reasonable steps to attend the meeting'
- After the meeting, the supervisor must inform the practitioner of their decision and notify them of the right to appeal against the decision if they are not satisfied with it.
- Employees have the right to be accompanied at the meeting by a colleague or union official.

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#### Stage 4

#### *The Appeal*

- If the practitioner wishes to appeal, they must inform the supervisor.
- If the practitioner informs the supervisor of their wish to appeal, the supervisor must invite them to attend a further meeting.
- The practitioner must take all reasonable steps to attend the meeting.
- The appeal meeting need not take place before the dismissal or disciplinary action takes effect.
- Where reasonably practicable, the appeal should be dealt with by a more senior manager than attended the first meeting (unless the most senior manager attended that meeting).
- After the appeal meeting, the supervisor must inform the practitioner of their final decision.
- Practitioners have the right to be accompanied at the appeal meeting.

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#### Stage 5

#### *Grounds for Action*

- The supervisor must set out in writing:
  - the practitioner's alleged misconduct which has led to the dismissal;
  - the reasons for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct; and
  - the practitioner's right of appeal against dismissal.
- The supervisor must send the statement or a copy of it to the practitioner.

#### Stage 6

#### *The Appeal*

- If the practitioner wishes to appeal, they must inform the supervisor.
- If the practitioner informs the supervisor of their wish to appeal, the supervisor must invite them to attend a further meeting.
- The practitioner must take all reasonable steps to attend the meeting.

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- **After the appeal meeting, the supervisor must inform the practitioner of their final decision.**
- **Where reasonably practicable, the appeal should be dealt with by a more senior manager not involved in the earlier decision to dismiss (unless the most senior manager attended that meeting).**
- **After the appeal meeting, the supervisor must inform the practitioner of their final decision.**
- **Practitioners have the right to be accompanied at the appeal meeting.**

**This policy was updated and adopted by the Trustees of Pembury School House Nursery.**

***NB. In the case of an employee having served less than one year with the nursery, the above does not necessarily apply. It is also important to note that due to the nursery being a small organisation and dependant upon the severity of the grievance, it may not be practicable to adopt all the detailed good practice guidance set out above.***