

**Disciplinary and Grievance Procedures.**

**Statement of Intent**

This procedure is to help and encourage employees to achieve and maintain standards of conduct, attendance and job performance and applies to all employees.

**Aims**

The aim of this procedure is to ensure consistent and fair treatment for all at Brislington Village Pre-school.

**Methods**

***Discipline procedure***

Informal action will be considered, where appropriate, to resolve problems

No disciplinary action will be taken against an employee until the case has been fully investigated.

For formal action the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary meeting. Employees will be provided, were appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting. At all stages the employee will have the right to be accompanied by a work colleague.

There will be 3 stages of a formal disciplinary procedure.

1. An improvement note for unsatisfactory performance (if performance of duty does not reach a satisfactory standard), or a first warning for misconduct (if conduct does not reach acceptable standards). The problem will be set out, the improvement that is required and the timescale in which the improvement needs to be met will be recorded. A copy will be kept by the manager, but will be disregarded for disciplinary procedures after 6 months, subject to achieving and sustaining satisfactory conduct or performance.
2. A final written warning will be issued if the offence is sufficiently serious, or there is further misconduct or a failure to improve performance during the time of a prior warning. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal. A copy of this written warning will be kept by the manager but will be disregarded for disciplinary purposes after 12 months, subject to achieving and sustaining satisfactory conduct or performance.
3. Dismissal will result if there is still further misconduct or failure to improve performance. Dismissal decisions can only be taken by the manager and the employee will be provided in writing with reasons for the dismissal and the date on which the employment will terminate.

An employee has right of appeal at any of the 3 stages of the disciplinary procedure. This must be made in writing within 5 working days to the manager. The employer will hear the appeal and decide the case as impartially as possible.

***Misconduct***

Where, following a disciplinary meeting, an employee is found guilty of misconduct the usual first step would be to give them a written warning setting out the nature of the misconduct and the change in behaviour required. If deemed appropriate a further performance improvement plan will be actioned, again clearly stating the desired objectives and timeframe; if the objectives are not met within this agreed timescale then the employee will be committing Gross Misconduct.

 The employee should be informed that the warning is part of the formal disciplinary process and what the consequences will be of a failure to change behaviour. The consequences could be a final written warning and, ultimately, dismissal. The employee should also be informed that they may appeal against the decision. A record of the warning should be kept, but it should be disregarded for disciplinary procedures after one year.

***Grievance procedure***

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to you manager. You should stick to the facts and avoid language that is insulting or abusive.

Your manager will call you to a meeting, normally within 5 working days. You have the right to be accompanied by a colleague at this meeting. After the meeting the manager will give you a decision in writing, normally within 48 hours.

The manger’s decision is final.

This procedure was adopted at a meeting on 1st September 2015

Reviewed September 2023

This policy is to be read in conjunction with our:-

Complaints

Low Level Concerns policy

Smoking, Alcohol and Drug policy

Staff Behaviour policy

Whistleblowing policy

Although under constant review, an overall review date has been set for **September 2024**