



DISCIPLINE AND DISMISSAL PROCEDURE

The Standard Disciplinary and Dismissal Procedure

Step 1: The Manager will give the staff member a written statement and call a hearing

- The Manager will set out in writing the alleged conduct, characteristics or other circumstances which lead them to contemplate dismissing or taking disciplinary action against the staff member.
- The Manager will inform the staff member in a written statement, of the allegations against them.
- If possible the Manager will provide the staff member with copies of any relevant evidence against them.
- The Manager will invite the staff member to a hearing to discuss the matter.
- The meeting will be held one week after the staff member has been given the written statement.
- This gives the staff member the opportunity to consider their response to the Managers written statement and any further verbal explanation they have provided.
- The staff member must take all reasonable steps to attend the meeting.

Step 2: After the meeting

- After the meeting the Manager will inform you of the decision and notify you of your right to appeal against the decision if you are not satisfied with it.

Step 3: Appeal against the disciplinary decision if necessary

- If the staff member wishes to appeal they must inform Manager in writing within 2 weeks.
- When the staff member appeals the Manager will invite them to attend a further meeting.
- The staff member must take all reasonable steps to attend the meeting.
- After the appeal hearing the Manager will inform the staff member of their final decision and will confirm it in writing as soon as practicable.

Gross misconduct

If after investigation it is confirmed that a staff member has committed one of the following offences (the list is not exhaustive), you will normally be dismissed:

- While the alleged gross misconduct is being investigated, you may be suspended, during which time you will not be paid.
- Any decision to dismiss will be taken by the Manager only after a full investigation.
- The Standard Disciplinary and Dismissal Procedure does not apply to dismissals for gross misconduct.
- For gross misconduct the Modified Dismissal Procedure will be followed.

Modified Dismissal Procedure

- In cases of gross misconduct the Manager may be justified in dismissing immediately.
- In these cases a two-step "Modified Dismissal Procedure" will be followed, otherwise the dismissal will be automatically unfair.

Step 1: The Manager gives written statement

- The Manager must give you a written statement stating the conduct that has resulted in the dismissal and informing you of the right to appeal against the decision to dismiss.
- You must appeal to complete the statutory procedure.

Step 2: Appeal against the disciplinary decision

- If you wish to appeal you must inform the Manager in writing within 2 weeks.
- A meeting will be held (in accordance with the general principles set out above).
- The Manager will inform you of their decision in writing following the meeting.

General Principles

- The following principles apply to both the Standard Dismissal and Disciplinary Procedure and the Modified Dismissal Procedure as set out above:
- The person who has authority to discipline you in accordance with this procedure is the Manager.
- The staff member has the right to be accompanied to any meeting by a fellow employee.
- Each step in the procedure will be taken without unreasonable delay and hearings will be held at reasonable times and locations.
- Meetings will be conducted in a manner that enables both employer and staff member to explain their cases.
- Records will be kept detailing the nature of any breach of disciplinary rules or unsatisfactory performance, the staff members defence or mitigation circumstances, the action taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments.
- These records will be kept confidential in line with Ferryfield Playgroup's Data Protection Policy.

Formal Oral Warning

- In the case of minor infringements you may be given a formal oral warning.
- A note of the oral warning will be kept on your file but will be disregarded for disciplinary purposes after six months.
- You have the right to appeal against a formal oral warning.

Formal Written Warning

- If the infringement is more serious or there is no improvement in conduct after a formal oral warning you will be given a formal written warning giving details of the reasons, the improvement or change in behaviour required, the timescale allowed for this, the right of appeal and the fact that a final written warning may be given if there is no sustained satisfactory improvement or change.
- A copy of the written warning will be kept on file but will be disregarded for disciplinary purposes after twelve months.

Final Formal Written Warning

- Where there is a failure to improve or change behaviour after a formal written warning, or in situations where the behaviour is sufficiently serious, you may be given a final formal written warning.
- This will give details of the complaint, a warning that failure to improve will lead to dismissal and reference to the right of appeal.
- The final written warning will be kept on file but will normally be disregarded for disciplinary purposes after two years.

Dismissal

If your conduct or performance still fails to improve or where the behaviour is considered serious enough, the outcome may be to contemplate dismissal. The "Standard Disciplinary and Dismissal Procedure" will be followed.

Adopted by the Committee

Date

August 2015