



2-4 Brook Street
Luton, Bedfordshire
Tel: 01582 730510
www.trainingdepot.co.uk



Training Depot Day Nursery

Staff Disciplinary Procedure Policy

This Policy is designed to work alongside all employees' contracts of employment and the Staff Code of Conduct. This procedure is designed to encourage all members of staff to aim for high standards in their conduct and work performance in Nursery. It also provides an effective and consistent framework of guidelines when dealing with any disciplinary matters that may arise.

Minor conduct issues can normally be resolved informally between staff and the Manager or Staff Co-ordinator. These discussions will be held in private and without undue delay whenever there is cause for concern. Employees will be given informal advice, coaching or training as part of their work to improve. In some cases an informal verbal warning may be given, which will not appear on staff's personnel records. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

Except in cases of gross misconduct or during the staff's probation period, staff will not normally be dismissed for a first act of misconduct. We will normally give staff a warning and a chance to improve.

Employees are expected to work with regard to the standards set in their contract of employment and towards the guidelines that are clearly set out in the Staff Code of Conduct. It is our policy to ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts. Employees (including those in their trial period) should not be dismissed or subjected to disciplinary action without being provided with the following:

- a. a written statement of the allegations;
- b. a fair hearing before any decision is reached; and
- c. the right to an appeal hearing

This procedure has been agreed in consultation with the Owner and Manager and applies to all employees regardless of status or length of service. It does not apply to agency workers or self-employed contractors.

Where disciplinary allegations are made against a trial employee we may omit some of the steps set down in this procedure and/or vary some or all of the time limits. Any steps under this procedure should be taken promptly unless there is a good reason for delay. We may vary any time limits if it is reasonable to do so.

If staff have difficulty at any stage of the procedure because of a disability, they should discuss the situation with the Manager or the Owner/Director.



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If staff believe that disciplinary action has been or is being taken against them for a reason which does not relate to their conduct or capability, or for a reason which is discriminatory on grounds related to sex, sexual orientation, race, religion, age or disability, they should submit a grievance in writing under the Grievance Procedure to the Nursery Manager as soon as possible and before any appeal hearing takes place under this procedure.

Full details in regard to disciplinary procedures in relation to investigations, hearings, dismissal etc. can be found in the 9 page Disciplinary Procedure folder in the Office.

The following would constitute as **Misconduct** which could lead to formal disciplinary procedures and possible dismissal.

- Breach of staff conduct and behaviour as listed in the Code of Conduct and Contract of Employment.

The following items would constitute as **Gross Misconduct** which could lead to instant dismissal and prosecution dependant on the severity of the breach:

- Serious failure to comply with procedures that Safeguard children.
- Theft, fraud and deliberate falsification of records.
- Physical violence towards a child, member of staff, visitor or student in the nursery.
- Serious bullying or harassment towards a child, member of staff, visitor or student in the nursery.
- Displaying serious lack of respect towards a child, member of staff, visitor or student in the nursery.
- Causing deliberate damage to the Nursery property.
- Serious insubordination.
- Any misuse of the Nursery's property or name.
- Any actions that bring the Nursery into serious disrepute.
- Serious incapability whilst on duty brought on by consuming alcohol or illegal substances.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Serious infringement of health and safety rules.
- Serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998). This is not an exhaustive list.

Reviewed in April 2017 by Mrs Melissa Reavell

Adopted by all Staff Members