

Humpty Dumpty Pre-school

St. John's Church hall, The Glebe, Felbridge, Surrey. RH19 2QT
Registered Charity: 1017357



Surrey County Council
Early Years Quality Improvement Award

Disciplinary Procedure

Objectives and guiding principles

Humpty Dumpty Pre-School's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached.

The objective of this procedure is to ensure the fair and consistent treatment of all employees and in particular of employees who become liable to disciplinary action.

It is the responsibility of management to ensure that the reasons for which disciplinary action may be taken are explained to employees.

An employee has the right to have a fellow employee or trade union representative present at any disciplinary hearing.

No disciplinary action will be taken until the matter has been fully investigated. The employee may, however, be suspended with pay pending investigation if it is considered necessary.

The procedure

Certain procedures may initially be tackled by holding an informal counselling interview and may not necessitate formal disciplinary action within the procedure. In such cases a note will be placed on the individuals file noting that such an interview has taken place. More serious cases of misconduct or issues concerning capability to perform within job roles will be dealt with in the following manner:

Stage 1:

In the first instance the employee concerned will be given a verbal warning. This warning will be recorded and a copy maintained in the employee's personnel file

Stage 2:

If further action becomes necessary, a written warning will be given. This warning will be recorded and a copy maintained in the employee's personnel file

Stage 3:

If the employee continues to fail to meet the required standards, a final written warning will be issued indicating that further behaviour of a similar nature within a specified time period could result in dismissal

Stage 4:

In the event of continued failure to meet the required standards, the employee will be dismissed and notice of termination of employment will be given as provided in the employee's terms of employment

Company rules and policies

Terms and conditions are specific to the individual's employment. Issues covered by rules and policies are however common to all staff, regardless of grade or job description, and in effect set standards of behaviour for all to follow. The Manager should make sure that these rules are applied consistently and fairly across Humpty Dumpty Pre-School and that the consequences of not adhering to company rules are clearly laid down.

Gross Misconduct

Certain types of behaviour are regarded as constituting gross misconduct, which following investigation could lead to summary dismissal (instant dismissal) from employment. During any investigation management reserves the right to suspend with pay. If an individual is dismissed for gross misconduct then dismissal will be without notice or payment in respect of arrears of contractual holiday pay.

Examples of what would constitute a gross misconduct include:

- Theft or the unauthorised possession of property belonging to the setting, employees or customers
- Assault or bullying towards any employee or persons associated within the setting
- Dishonesty, including the use of any funds, expenses or allowances for any other purpose than that for which they have been delegated by the company
- Being under the influence of drugs or alcohol whilst on duty
- Serious or persistent breaches of safety rules
- Fraud including falsification of work records and expense claims
- Physical or verbal assault or abuse towards a child such as hitting or harsh disciplinary action
- Discrimination in any way against a person on the grounds of colour, religion, ethnic or national origin, sex or marital status
- Failure to follow company documentary policies and procedures

General rules

There are also general rules concerning conduct at work or working practices. In certain cases failure to adhere to a particular rule may result in disciplinary action being taken within the company's disciplinary procedure. These rules include:

- All employees are expected to exercise care, skill and application at work and are expected to achieve and maintain standards of quality as required by management
- Good relations with our customers and the general public are of vital importance. All employees should adopt a helpful, considerate and co-operative attitude to our customers and the public
- Employees are expected to respond to management requests and to undertake duties outside of their normal job specification

- Employees are expected to undertake any training as required by management. On occasions this may involve attending training courses where an overnight stay away from home is necessary
- Amendment to address, next of kin and contact details must be notified immediately to management for personnel and health and safety record purposes
- During working hours you must devote your whole time and attention to the setting and should not undertake any activities that may interfere with the proper performance of your duties with the company. Written permission must be obtained if you wish to engage in any other business or profession outside of normal working hours. Permission is unlikely to be granted if such activities could be considered prejudicial or in direct competition with the company
- On leaving the company, for a period of three months, you shall not solicit or entice away any client or company who was a customer of the setting. This restriction shall only apply to customers with whom you have had personal dealings. This clause only restricts your action that can be construed as likely to cause financial loss, loss of credibility or damage to the business or setting
- The use of abusive language that offends other employees will not be tolerated and will result in disciplinary action
- Any conduct detrimental to the interests of the setting, relations customers and public that is damaging to its public image, shall be a disciplinary offence
- Private work may be carried out on the company premises or in working time only with management approval
- You are required to declare any court or police action against you whilst the company employs you. Failure to do so could lead to dismissal
- The company is aware that pilfering takes place throughout industry; we therefore, reserve the right to carry out spot checks or searches of employees or their vehicles within the setting boundaries

Timekeeping and attendance

Rules and regulations relating to entitlement sick pay are outlined in your terms and conditions.

Employees are required to notify the Manager as soon as is possible in the event that they are unable to attend work. In the last instance the Manager must be notified by 7.30am on the morning of being unable to attend. Emails and texts will not be acceptable as notice of non-attendance. Failure to notify correctly will be treated as a disciplinary offence.

Employees are required to attend for work at the time stated. Late attendance will be regarded as breach of discipline and dealt with accordingly.

Persistent absenteeism without legitimate reason will be treated as a disciplinary offence.

In cases where an employee frequently has time off or has a long period away from work for reasons of sickness. The company reserves the right to have the employee subjected to a medical examination by a doctor appointed by the setting or at the setting's expense.

Anyone walking out during a dispute or disagreement without management permission will be deemed to be in breach of his/her contract of employment.

Staff meetings are essential for effective communication between staff and management and your attendance at such meetings it is in your own interest as well as being a condition of employment.

Health and safety

Employees are required to take care for the health and safety of themselves and others who may be affected by their acts or omissions.

Employees must have regard for any duty or requirement imposed on their employer or any other employee by the safety legislation.

Employees working away from setting premises must comply with the Health and Safety requirements of the particular workplace.

In the interests of safety, employees must use protective clothing or equipment when provided by the company.

All injuries sustained by employees whilst at work must be reported in the settings accident book.

Where employees are provided with the tools and equipment necessary to carry out their jobs, the employee will be expected to take all reasonable steps to care for the equipment, keeping it safe and secure and in a good state of repair.

Any personal electrical appliances brought on to the setting premises by an employee must be battery powered as the company is not prepared to inspect, service and certify personal appliances in order to comply with the Electricity at Work Regulations 1989.

All employees are responsible for keeping their own work area tidy.

The management accept no liability for the loss or theft of personal belongings or money. Employees must therefore take any steps necessary to ensure their safekeeping.

Smoking is not allowed at any time on or in the near vicinity of the setting premises and failure to adhere to this policy may result in disciplinary action.

Advice and Information

For advice and information the following organisations (or others) may be consulted:

Surrey Early Years and Childcare Services - Recruitment and Retention Advisors

Pre-School Learning Alliance - Legal Advisers

ACAS - Advisory, Conciliation and Arbitration Service

This procedure was adopted by Louise Whittaker for Humpty Dumpty Pre-School on 6th August 2013. It was reviewed by Nikki Harris on 5th August 2017

Signed (Chairperson) Date