

# SWILLINGTON PLAYGROUP

## DISCIPLINARY POLICY

In any organisation, it is essential that certain standards and performance must be maintained to protect the smooth running of the company and the well-being of its employees.

The disciplinary procedure is designed to ensure fair treatment for those whose job performance is below requirements and those involved in breaches of discipline.

Depending upon the seriousness of the case, the disciplinary procedure may be entered into at any of the stages outlined below. Except for instances of gross misconduct, dismissal will not be the first step.

In general, particular shortcomings on the part of an employee in meeting job requirements or standards will be initially brought to his or her attention by the immediate supervisor in informal conversations accompanied by the offer of assistance towards achieving improvement.

### **Guidelines for the conduct of disciplinary meetings:**

1. Employees have the right to be accompanied by a fellow employee, if they so wish, at any meeting held under the disciplinary procedure.
2. The manager will state the reasons for invoking the disciplinary procedure, the disciplinary action to be taken and the corrective action required from the employee, together with a specified date by which acceptable improvement should be made.
3. Full opportunity will be given for the employee to state his or her case. The employee will be advised of the full disciplinary procedure, including the provisions for appealing against disciplinary action, and the consequences that will follow if acceptable improvement is not made.

### **Stages of the disciplinary procedure**

#### **Stage 1 - Oral warning**

Should an employee's conduct or performance remain less than satisfactory after an informal warning, the situation will be formally reviewed with his or her immediate supervisor, who will talk to him or her about his or her shortcomings and suggest ways in which he or she might put these right.

The supervisor will keep a written record of this meeting.

### **Stage 2 - Written warning**

If the employee's conduct or performance remains less than satisfactory in relation to the agreed improvement plan made at Stage 1 or, in more serious cases, the situation will be formally reviewed with him or her by his or her manager.

Following this meeting, the employee will receive from his/her manager a letter recording the nature and outcome of the disciplinary meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of improvement and deadline dates for achievement and a copy will be held on the employee's personal file.

### **Stage 3 - Final written warning**

If the employee's conduct or performance fails to meet the standards established at Stage 2 or, in more serious cases, the situation will be reviewed with the employee by his or her manager.

Following this meeting, the employee will receive from his or her manager a letter recording the nature and outcome of the disciplinary meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of improvement and deadline dates for achievement and a copy will be held on the employee's personal file.

### **Stage 4 - Dismissal**

If the employee's conduct or performance fails to meet the standards established at Stage 3 or, in more serious cases, the situation will be reviewed with the employee by his or her manager. The decision to dismiss an employee must have the agreement of a manager and the chairperson, prior to implementation. The decision will be confirmed to the employee in writing and this letter will also confirm to whom any appeal should be made and details of the procedure to be followed.

### **Summary dismissal**

In cases of gross misconduct, summary dismissal may be the only reasonable course of action for the Pre-School. Examples of actions which are likely to be treated as gross misconduct include: fighting at work or

hitting a colleague, smacking a child, drunkenness, theft, etc.

When gross misconduct is suspected, the employee will normally be suspended on full pay for up to five working days to allow for an appropriate investigation of the case. This investigation will be conducted by a nominated senior manager (normally, neither directly responsible for the individual, nor necessarily within the employee's function) to assure impartiality. This investigation will include a meeting with the employee. Following the investigation, the employee will be asked to attend a meeting with the responsible senior manager. If the investigation has upheld the case of gross misconduct, the employee will be summarily dismissed without notice or pay in lieu. The decision will be confirmed to the employee in writing and this letter will also confirm details of the appeal procedure.

### **Appeals against disciplinary action**

1. Any appeal against disciplinary action must be made in writing within five working days of the disciplinary action.
2. An appeal against a written warning should be made to the Chairperson stating the reasons for non-acceptance of the warning.
3. He or she will carry out a full review of the facts, which may include a further meeting with the employee and management.
4. Following this review, he or she will reply in writing to the employee's comments.

An appeal against dismissal should be made to the Chairperson. S/he, or a nominee, will carry out a full review of the facts and will reply in writing to the employee within five working days.

### **Records**

A record of any disciplinary action taken will remain on the employee's personal file for three years.

Signature:

Date:

Position held: