



Disciplinary Procedure

Our club believes that every child has the right to be cared for in a safe and caring setting. We are committed to ensuring this at all times, consequently it is our aim to maintain a well-motivated, highly skilled and professional staff team.

1. Purpose and scope

This procedure sets out the action which will be taken when disciplinary rules are breached. In such circumstances it will always be the Club's aim to encourage improvement in individual conduct, behaviour or performance.

2. Principles

- The procedure is designed to establish the facts quickly and to deal fairly and consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- An employee has the right to appeal against any disciplinary decision.

3. Informal warnings

Before taking formal disciplinary action the Manager will make every effort to resolve the matter by informal discussions with the employee concerned. Only when this fails to bring about satisfactory improvement or outcomes will disciplinary procedures be formally implemented. An informal warning may not necessarily be recorded in writing, and will not be classed as formal disciplinary action.

4. Statutory discipline and dismissal procedure



If an employee faces disciplinary action the following three stage procedure will be followed as recommended in the ACAS Code of Practice 2015. This involves:

1. A letter to the employee setting out the allegation and the basis for it
2. A meeting to consider and discuss the allegation
3. A right of appeal by the employee including an appeal meeting

The employee will be reminded of their right to be accompanied at the meeting by a trade union representative or a work colleague.

5. The Procedure

1 First warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, kept on file, and after 6 months of satisfactory conduct or performance not be used for future disciplinary action. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change.

Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the Club, it may be justifiable to move directly to a final written warning.

2 Final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 12 months, action at Stage 3 will be taken.

3 Dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss or seniority (as allowed in the contract) or



dismissal. If the employee is dismissed they will be paid their contractual notice (although they will not necessarily be expected to work it) and any outstanding holiday pay.

Gross misconduct

If, after investigation and disciplinary hearing, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be summary dismissal (i.e. without notice and without payment in lieu of notice) they will be paid any outstanding holiday pay:

- theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate; this to protect the Club, children and the individual themselves. The suspension will be for as short a time as possible, whilst ensuring a fair investigation. Any decision to dismiss will be taken by the employer only after full investigation and disciplinary hearing.

Allegations against Staff

All staff are advised to minimise time spent alone with children and be aware of the potential risks in doing so (for further details refer to the Safeguarding Policy).

If an allegation of abuse has been made against a member of staff, the Manager will follow the procedures of the Safeguarding policy.

If an allegation of abuse is made against the manager then another designated member of staff will report the matter directly to the Management Committee, LADO and Ofsted.



Appeals

An employee who wishes to appeal against any disciplinary decision must do so in writing to the Management Committee within five working days of the decision being communicated. Appeals will be dealt with as quickly as possible and within at least 14 days. If possible, the Management Committee, or a senior member of staff who was not been involved in the original disciplinary action will hear the appeal and impartially adjudicate the case.

This policy was adopted at a meeting of	Poppleton Road OOSC
Held in:	Nov 2023
To be reviewed in:	Nov 2024
Signed on behalf of the setting:	
Name of Signatory:	
Role of Signatory:	Manager Deputy Manager

At all stages of the procedure the right to appeal will be confirmed as part of the warning, suspension or dismissal letter