



Staff Handbook

4.4. Grievance and Disciplinary

Grievance Procedure

The object of this grievance procedure is to enable employees who believe they have a grievance or complaint arising from their employment with Auden Place Community Nursery to have it dealt with at an appropriate level within as short a time as possible. Anyone wishing to use this procedure is encouraged to do so without prejudice to his or her position. All grievances will be treated with sensitivity and concern. This procedure applies to all employees, irrespective of job or grade.

Auden Place Community Nursery is a medium-sized organisation. In the course of your work, you will be in regular contact with your Room Senior. If you have any problems, complaints or queries concerning work or fellow employees, you are expected to take the initiative and to let your Room Senior know about them so that you can be assisted in resolving them. In the first instance, you are encouraged to attempt to resolve grievances informally in this fashion.

If you feel it is inappropriate to raise the matter with your Room Senior or you have raised a matter with them and feel that the matter should be dealt with formally as a grievance, then you should refer your grievance to the manager, clearly explaining the basis for your grievance. The manager will notify you of their response to your grievance, after further investigation into your grievance.

If you are unhappy with the decision of the manager, you have the right to appeal in writing within ten (10) working days against the decision to the Management Committee. In cases where staff feel that they are unable to prepare their appeal to the Management Committee in writing, they can record a message on a blank cassette and submit their appeal in spoken form.

Upon receipt of your appeal, the Management Committee will call a meeting at which you have the right to be accompanied by a fellow employee or trade union representative of your choice. At the meeting the Management Committee will take all such steps as considered necessary to resolve the issues raised. The decision of the Management Committee shall be final and binding.

If the grievance concerns the Manager, or a staff member does not feel comfortable with speaking to her, they can go directly to the Management Committee. It would be best if you were to go directly to the Staff Sub-committee (ask the manager for the current members), but staff can speak to any member of the Management Committee. After investigation into your grievance, the Management Committee will notify you of their response as well as of any action that is to be taken. The decision of the Management Committee shall be final and binding.

Disciplinary Procedure

The aim of Auden Place Community Nursery is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when



disciplinary rules are breached or when an employee's performance is unsatisfactory. Auden Place reserves the right, having considered the seriousness of any misconduct or unsatisfactory performance, to invoke any stage of the procedure as an initial step.

Principles

The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. In the event of an allegation of misconduct or poor performance, Auden Place will carry out a full investigation into the alleged misconduct or poor performance. If, following such an investigation, there appears to be grounds for a disciplinary meeting or performance review meeting, Auden Place will set out in writing the alleged misconduct, characteristics or other circumstances which lead Auden Place to contemplate taking disciplinary action against you. Auden place shall include in that written statement its basis for deciding that disciplinary action should be taken and shall invite you to attend a disciplinary meeting to discuss the matter. You are required to take all reasonable steps to attend that meeting.

No disciplinary meeting will be held until the matter has been fully investigated and you have had a reasonable opportunity to consider your response to Auden Place's basis for holding the disciplinary meeting.

After the meeting, Auden Place shall inform you in writing of its decision and, if the decision requires that disciplinary action should be taken against you, you shall be informed of the nature of that disciplinary sanction.

At every stage of the procedure you will have the opportunity to state your case and be represented, if you wish, by a fellow employee or a trade union representative.

Appeals

If you wish to appeal against any disciplinary decision, you must do so to the Management Committee within ten (10) working days. The Management Committee will invite you to a further meeting in order to hear the appeal and you are required to take all reasonable steps to attend the meeting. After that meeting, The Management Committee will inform you of their decision which will be final.

Misconduct

In relation to disciplinary issues, Auden Place considers the following non-exhaustive list of matters to be acts of misconduct:

Inappropriate or negative behaviour towards the children

Lateness or bad timekeeping.

Failing consistently to work to the required standard.

Unauthorised use of the Auden Place's telephone or property for private purposes.

Use of offensive language or behaviour, except where use of such language or behaviour constitutes an act of gross misconduct.

Substandard personal appearance or personal hygiene.

Failure to carry out the duties of your job.

Misuse or neglect of Auden Place's property.

The Procedure

➤ **Stage 1 – Verbal Warning**

If conduct or performance is unsatisfactory, the employee will be given a formal VERBAL WARNING, which will be recorded. The warning will be disregarded after six (6) month's satisfactory service.



➤ **Stage 2 – Written Warning**

If the offence is serious, or having received a VERBAL WARNING there is no improvement in standards, or if a further offence occurs, a WRITTEN WARNING will be given which will include the reason for the warning and state that, if there is no improvement after three (3) months, a FINAL WRITTEN WARNING will be given. A WRITTEN WARNING will be disregarded after twelve (12) months in the absence of further offences.

➤ **Stage 3 – Final written warning**

If conduct or performance remains unsatisfactory, a FINAL WRITTEN WARNING will be given making it clear that any recurrence of the offence or other serious misconduct or failure to improve within a period of twelve (12) months may result in dismissal. A FINAL WRITTEN WARNING will be disregarded after twelve (12) months in the absence of further offences.

➤ **Stage 4 – Dismissal**

If there is no satisfactory improvement or if further serious misconduct occurs, you may be DISMISSED.

➤ **Gross misconduct**

If, after investigation, it is confirmed at a disciplinary meeting that you have committed an offence of the type listed below, or if Auden Place has reasonable grounds for believing such an offence has been committed, the normal consequence will be dismissal without notice or pay in lieu of notice.

Examples of Gross Misconduct:

Child Protection Issues

Non-attendance without good reason.

Theft.

Wilful damage to Auden Place's property.

Fraud.

Incapacity for work due to being under the influence of alcohol or illegal drugs.

Any form of rudeness or discourtesy to a customer, client or supplier of Auden Place.

Physical assault.

Gross insubordination.

Unauthorised disclosure of confidential information.

Discrimination on the grounds of sex or race.

The above list is not exhaustive.

While the alleged gross misconduct is being investigated you may be suspended (with pay).

Auden Place will endeavour to conduct any investigation as swiftly as possible. Any subsequent decision to dismiss may be taken by the Management Committee.