



Broughton Primary's Play Buddies Club

**Disciplinary and
Grievance Policy**

Broughton Primary's Play Buddies Club

Disciplinary and Grievance Policy

We believe this policy relates to the following legislation:

- Employment Rights Act 1996
- School Standards and Framework Act 1996
- Human Rights Act 1998
- Teaching and Higher Education 1998
- Employment Relations Act 1999
- Employment Act 2002
- Education Act 2002
- Safeguarding Vulnerable Groups Act 2006
- Employment Act 2008
- School Staffing (England) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Education (Prohibition from Teaching or Working with Children) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Safeguarding Vulnerable Groups Act 2006 (Transitional Provisions) Regulations 2008
- Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria) (Transitional Provisions) Regulations 2008
- Safeguarding Vulnerable Groups Act 2006 (Barring Procedure) Regulations 2008
- School Staffing (England) Regulations 2009

The following documentation is also related to this policy:

- Acas Code of Practice 1 - Disciplinary and Grievance
- Discipline and Grievance at Work - The Acas Guide

We understand that the law requires all employees of the club to conduct themselves appropriately, to obey the directions of the persons in charge and registered persons, to be loyal to the club, to take care over the work assigned to them and to work hard to maintain a good employment relationship.

The committee has worked hard to build and maintain a good employment relationship and believes that the rules, policies and procedures as stated in the Staff Handbook are reasonable and fair.

Therefore, we believe we have clearly defined the standard of behaviour expected of all personnel working in this club. However, the committee will deal with any form of misconduct, gross misconduct or poor performance by an employee by following a fair and effective disciplinary procedure.

We as a club we have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aim

- To provide a fair and effective procedure in the event of dealing with any form of misconduct, gross misconduct or poor performance by an employee.
- To work with other clubs, schools and the Local Authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Committee

The Committee has:

- delegated powers and responsibilities to the registered persons to investigate any alleged breaches of discipline and then to inform the Disciplinary Committee and to give warnings when necessary;
- the responsibility to ensure total confidentiality for the employee when dealing with a case of misconduct;
- delegated powers and responsibilities to the registered persons to ensure all club personnel are aware of and comply with this policy;
- responsibility for ensuring that the club complies with all equalities legislation;
- nominated a designated Equalities committee member to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- make effective use of relevant research and information to improve this policy;
- nominated a link committee to visit the club regularly, to liaise with the registered persons and to report back to the committee.
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Registered Persons:

The registered persons will:

- ensure all club personnel are aware of and comply with this policy;
- work closely with the link committee member;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- make effective use of relevant research and information to improve this policy;
- monitor the effectiveness of this policy;

- annually report to the committee on the success and development of this policy

When dealing with a concern of conduct or performance the registered persons may in the first instance have an informal conversation with the member of the club personnel who is giving cause for concern

When investigating an alleged case of misconduct or poor performance the registered persons may

After investigating a case of alleged misconduct the registered persons may choose to dismiss the case or to issue:

- an informal oral warning;
- a formal oral warning;
- a formal written warning;
- a final written warning

Once a Final Warning has been given the registered persons will refer the matter to the Disciplinary Committee for their attention.

In dealing with some cases, an appropriate Investigating Officer (a suitable person not connected with the club) may be appointed by the registered persons or the committee if it is felt necessary.

Role of the Companion

At a formal disciplinary hearing an employee may request a companion such as a work colleague or their trade union official who may help to prepare the case and present it.

Investigation

A thorough investigation will be conducted by the Investigatory Officer before any disciplinary action is considered. It is important that a written record is kept for later reference.

Suspension

If the registered persons decides that a case may be, or is, so serious that the possibility of dismissal may arise, or where there are grounds for doubt as to the suitability of the employee continuing work while investigations are in progress, then the registered persons has the right to suspend the employee with or without pay.

A letter confirming the suspension will be sent to the employee.

It should be noted that a suspension pending the outcome of a disciplinary investigatory must be viewed as a precautionary measure and is not a sanction in itself.

Disciplinary Hearing

A formal disciplinary hearing will take place if the Investigating Officer is satisfied that the facts gathered are sufficient for disciplinary action.

Disciplinary Action

Stage 1: Verbal Warning (conducted by the registered persons)

- After an investigation into a case of minor misconduct has been completed an informal warning might be given.
- At this meeting the employee will be given help, advice and guidance by the registered persons.
- The warning will remain in force for a specified period of six months.
- The next stage of the Procedure will be implemented if there is a repetition of the offence during the specified period.

Stage 2: Written Warning (conducted by the Registered persons)

- A written warning will be issued if the member of staff has failed to improve to an expected standard.
- The written warning will be attached to the personal file for no more than nine months.
- The next stage of the Procedure will be implemented if there is repetition of misconduct or further matters of misconduct occurring during the specified period of nine months.

Stage 3: Final Written Warning (conducted by the registered persons)

A final written warning will be issued if the member of staff has failed to improve to an expected standard.

- The final written warning will be attached to the personal file for no more than twelve months.
- The next stage of the Procedure, which may include dismissal, will be implemented if there is repetition of the offence during the period which will be subject to full consideration of the circumstances

Stage 4: Further Action (conducted by the Disciplinary Panel)

- At all formal stages of the Procedure the disciplinary panel will liaise with the Chairperson of the committee informed.
- Other than for gross misconduct an employee shall not be expected to be dismissed for a first breach of discipline.
- However, if a final warning has failed to bring about the required improvement then further action may include dismissal.
- The employee will be informed in writing for the reasons for the dismissal, the date on which employment will terminate and the appropriate period of notice or pay in lieu of notice.
- Disciplinary action short of dismissal may include:
 - suspension without pay
 - demotion
 - loss of seniority

- loss of increment

Right of Appeal

At any stage an employee who is aggrieved by disciplinary action may appeal in writing to the Disciplinary Appeals Sub Committee giving full details of the reason of the appeal.

At the appeal hearing at each stage the Disciplinary Appeals Sub Committee will consider whether the penalty imposed is appropriate.

The Disciplinary Appeals Sub Committee may decide to:

- uphold the decision by the disciplinary committee;
- take action of a lesser nature than the first

There will no right of appeal from the decision of the Disciplinary Appeals Sub Committee.

Role of Club Personnel

Club personnel will:

- comply with all aspects of this policy;
- implement the club's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the Staff Handbook
- meetings with club personnel
- reports such annual report to parents and registered persons reports to the committee.

Training

All club personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - disciplinary procedures
 - the right of appeal
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications

Training will be provided by an accredited trainer for the registered persons and all the persons in charge team, and the nominated committee that deals with:

- disciplinary procedures
- roles and responsibilities
- the appeals process
- suspensions and dismissal

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this club.

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the registered persons and the nominated committee member.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the committee for further discussion and endorsement. (See Policy Evaluation)

This disciplinary and grievance policy and procedure was passed for use in Broughton Primary's Play Buddies.

On:.....

By:.....Position:.....

By:.....Position:.....

By:.....Position:.....

Date of planned review:.....