



Laugh and Learn Pre-School

Discipline and Grievances Policy

General Welfare Requirements in accordance with the EYFS

Providers must take all necessary steps to keep children safe and well. Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles.

Policy Statement

The Employment Rights Act 1996 requires employers to provide written information for their employees about certain aspects of their disciplinary rules and procedures. The aim in taking disciplinary action is not one of dismissal or punishment but is one of bringing about the necessary improvements so that required standards are met. The following procedures will be followed should a situation arise which results in a Grievance by a member of staff or necessitates in disciplinary action.

Procedures

Grievance procedure:

If an employee is dissatisfied, they should request a meeting with their immediate supervisor/manager. If the grievance persists, a management panel should be set up for the purpose of further discussion, at which the employee may, if they wish, be accompanied by a colleague.

There must be a right of appeal, to the owner. At this level also, the employee's colleague or representative may be present.

The aim of the above procedure is to settle the grievance fairly and as near as possible to the point of origin. It is intended to be simple and rapid in operation.

Disciplinary Procedure:

Minor disagreements among pre-school staff, or between staff and the owner, can usually be resolved at the regular staff/management meetings or informally by discussion. When a more serious situation arises and the dispute cannot be resolved, or when the owner/ manager is dissatisfied with the conduct or activities of an employee the matter will normally be dealt with using the following procedure: At every stage detailed below the employee will be given reasonable notice (5 days) that a disciplinary hearing is due to take place to give them the opportunity to prepare their case, and they should be offered the opportunity to be accompanied by a colleague or representative if they so wish. The disciplinary panel will consist of the owner and the employee's line manager.

Stage 1 Oral warning

- i) The employee will be interviewed by the disciplinary panel who will explain the complaint.
- ii) The employee will be given full opportunity to state their case.
- iii) After careful consideration by the disciplinary panel, and if the warning is considered to be appropriate, the employee will be told:
 - a) what action will be taken to correct the conduct
 - b) that they will be given a reasonable time to rectify matters
 - c) what training needs have been identified, with timescales for implementation
 - d) what mitigating circumstances have been taken into account in reaching the decision
 - e) that if they fail to improve then further action will be taken

- f) that a record of the warning will be kept
- g) that they may appeal against the decision within a limited time period (5 days).

Stage 2 Formal written warning

If the employee fails to correct their conduct and further action is necessary, or if the original offence is considered too serious to warrant an initial oral warning:

- i) The employee will be interviewed and given the opportunity to state their case. (Reasonable time must be allowed for the employee to prepare their case.)
- ii) If a further formal warning is considered to be appropriate, this will be explained to the employee and a letter confirming this decision will be sent to them
- iii) The letter will:
 - a) contain a clear reprimand and the reasons for it
 - b) explain what corrective action is required and what reasonable time is given for improvement
 - c) state what training needs have been identified, with timescales for implementation
 - d) make clear what mitigating circumstances have been taken into account in reaching the decision
 - e) warn that failure to improve will result in further disciplinary action which could result in a final written warning and, if unheeded, ultimately to dismissal with appropriate notice
 - f) explain that they have a right to appeal against the decision.

Stage 3. Final written warning

If the employee fails to correct their conduct and further action is necessary, or if the original offence is considered too serious to warrant any initial warnings:

- i) The employee will be interviewed and given the opportunity to state their case. (Reasonable time must be allowed for the employee to prepare their case.)
- ii) If a final warning is considered to be appropriate, this will be explained to the employee and a letter confirming this decision will be sent to the employee.
- iii) The letter will:
 - a) contain a clear reprimand and the reasons for it
 - b) explain what corrective action is required and what reasonable time is given for improvement
 - c) state what training needs have been identified, with timescales for implementation
 - d) make clear what mitigating circumstances have been taken into account in reaching the decision
 - e) warn that failure to improve will result in further disciplinary action which could result in dismissal
 - f) explain that they have a right to appeal against the decision.

Stage 4. Dismissal

If the employee still fails to correct their conduct, then:

- (i) the employee will be interviewed as before
- ii) if the decision is to dismiss, the employee will be given notice of dismissal, stating the reasons for dismissal and giving details of the right to appeal.

If progress is satisfactory within the time given to rectify matters, the record of warnings in the individual's file will be destroyed.

Suspension

If the circumstances appear to warrant instant dismissal, an employee may be suspended with pay while investigations are being made. These should consist of obtaining written statements from all witnesses to the disciplinary incident, and from the employee who is being disciplined. Obviously these investigations should be carried out within as short a time as possible.

Instant dismissal is possible only in extreme circumstances of gross misconduct. Examples of such misconduct would be:

- a) theft or fraud
- b) ill-treatment of children
- c) assault
- d) malicious damage
- e) gross carelessness which threatens the health and safety of others
- 1) being unfit through use of drugs or alcohol.

Otherwise, an employee should not be dismissed without the appropriate warnings.

Appeals

At each stage of the disciplinary procedure the employee will be told they have the right to appeal against any disciplinary action, and that the appeal must be made in writing to the pre-school owner within five days of a disciplinary interview. The appeal hearing should be heard, if possible, within 10 days of receipt of the appeal. If at all possible line manager(s) other than those involved in the earlier disciplinary stages will hear the appeal. If this is not possible, the appeal panel may consist of the same people as the original panel, and they must make every effort to hear the appeal as impartially as possible. The employee may take a colleague or representative to speak for them.

- a) The employee will explain why they are dissatisfied and may be asked questions.
- b) The owner/ manager will be asked to put their point of view and may be asked questions.
- c) Witnesses may be heard and may be questioned by the appeals committee and by the employee and the owner/manager.
- d) The appeal panel will consider the matter and make known its decision.

A written record of the meeting will be kept.

Monitoring and Review

It is the role of the Owner/Manager and all Staff to ensure that this policy is fully implemented.

This policy links in with the following EYFS key themes and commitments:

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.3 Keep children safe	2.1 Respecting each other 2.4 key person		

This policy was written and effected by Sharon Bennett, Owner of Laugh and Learn Pre-School after discussion and review with staff and parents in the Autumn Term of 2023.

Signed: *Sharon Bennett*

Dated: Spring 2026 This policy will be reviewed in the Spring Term of 2028