



Policy ... Staff Discipline

If a member of staff is subject to disciplinary action, fair and consistent procedures will be employed: Incidents will be fully investigated in a non-discriminatory manner, and the facts established.

Staff will be given the opportunity to state their case, and be accompanied by a friend or colleague of their choice, during any part of the disciplinary process.

Staff will not be dismissed for a first breach of discipline except in the case of gross misconduct and will have a right to appeal against any disciplinary action taken against them.

Investigations will be conducted by either the Team Leader or MD..

The Staff Disciplinary Procedure operates as follows:

Informal Discussion - Before taking formal disciplinary action, the Team Leader will make every effort to resolve the matter by informal discussions with parties concerned. Only where this fails to bring about satisfactory improvement or outcomes will disciplinary procedures be formally implemented.

Formal Verbal Warning - Once a formal warning has been given by the Manager, the member of staff in question will be notified of this and given an explanation for the warning. They will further be informed of their right of appeal. A brief note of the warning will be kept on the Fun Factory's records. This will be disregarded after six months, subject to satisfactory conduct and/or performance.

Written Warning - If, following a formal verbal warning, there is insufficient improvement in standards, or if a further incident occurs, a written warning will be issued. This will state the reason for the warning and that, if there is no satisfactory resolution after a further month, a final written warning will be given. A copy of this first written warning will be kept in the Fun Factory's records, but will be disregarded after 12 months, subject to satisfactory conduct and/or performance.

Final Written Warning - If the member of staff's conduct or performance remains consistently unsatisfactory, or if the misconduct is sufficiently serious, a final written warning will be given making it clear that any further breach of the standards, or other serious misconduct, may result in the employee's dismissal. A copy of the warning will be kept in the Fun Factory's records, but will be disregarded after 24 months, subject to satisfactory conduct and/or performance. The warning will state clearly that dismissal will result from a failure to comply. In certain exceptional circumstances, a member of staff may receive a Final Written Warning that will remain on the Fun Factory's records indefinitely. This course of action will follow when a member of staff has only avoided dismissal due to extenuating or mitigating circumstances.

Gross Misconduct - If, after investigation, it is deemed that a member of staff has committed an act of the following nature, dismissal will be the normal outcome:

Child abuse (for further details refer to the Child Protection policy).

Serious infringement of health and safety rules (for further details refer to the Health and Safety policy).

Assaulting another person

Persistent bullying, sexual or racial harassment.

Being unfit for work through alcohol or illegal drug use.

Gross negligence that either causes or might cause injury, loss or damage to persons or property.

Theft, fraud or deliberate falsification of the Fun Factory's documents.

Deliberate damage to Fun Factory property.

Being an unfit person under the terms of the Care Standards Act 2000 or the Children's Act 1989.

While the alleged incident of gross misconduct is being investigated, the individual concerned is likely to be suspended, during which time normal pay levels will prevail. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible. Any decision to dismiss will be taken only after a full investigation.

If the staff member has been found to have committed an act of gross misconduct, they will be dismissed without notice.



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 Child Protection policy).

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

If an allegation of abuse is made against the Team Leader, then another designated member of staff will report the matter directly to the MD, who will follow procedures with the local Social Services department and Ofsted.

Appeals

Staff wishing to appeal against a disciplinary decision, must do so in writing and within 10 working days of the decision being communicated. Appeals will be dealt with as quickly as possible and within at least a further 15 days. If possible, a Director, or a senior member of staff who was not involved in the original disciplinary action will hear the appeal and impartially adjudicate the case.

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

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