



Grievance and Disciplinary Procedures

Updated September 2024

At Briar Dene Childcare, we aim to provide a supportive and positive working environment for all our staff, where any issues, concerns, or grievances are handled fairly, efficiently, and in accordance with the principles of equality and respect. We recognise that, on occasion, disagreements or grievances may arise. We also recognise the need to set clear expectations and standards for behaviour to ensure a safe, professional, and effective environment for both children and staff. This Grievance and Disciplinary Measures Policy outlines the procedures for managing grievances and disciplinary matters within the nursery.

The purpose of this policy is to:

- Provide a clear framework for resolving grievances raised by staff.
- Establish a transparent and fair process for addressing allegations of misconduct or poor performance.
- Ensure that both grievances and disciplinary matters are handled in a manner that is respectful, timely, and in compliance with legal requirements.
- Promote a positive workplace culture based on open communication and mutual respect.

Grievance Procedure:

A grievance is a formal complaint about work-related issues that may affect an employee's well-being or performance. Employees are encouraged to raise grievances as soon as possible so that they can be resolved quickly.

Step 1: Informal Resolution:

- In the first instance, employees should aim to address grievances informally by discussing the issue directly with the relevant person (e.g., a colleague, manager, or supervisor) in a respectful manner.
- Where possible, the grievance should be resolved through open communication and mutual understanding.

Step 2: Formal Grievance:

- If the grievance is not resolved informally or if the matter is serious, the employee may submit a formal grievance in writing to their line manager or the nursery manager.
- The written grievance should detail the issue, the individuals involved, and the steps already taken to resolve it informally.
- The manager will acknowledge receipt of the grievance within 5 working days and will investigate the matter in a fair and impartial manner.

Step 3: Investigation:

- The nursery manager or an appointed representative will conduct a thorough and impartial investigation, gathering relevant information and speaking to those involved.
- The investigation may include interviews, reviewing documents, and gathering statements from witnesses or colleagues.

Step 4: Outcome:

- After the investigation, the employee will be provided with a written response outlining the findings and the proposed resolution. The manager will explain any actions or changes that will be made because of the grievance.
- If the grievance is upheld, appropriate action will be taken to address the concern. If the grievance is not upheld, the reasons for this will be clearly explained.

Step 5: Appeal:

- If the employee is dissatisfied with the outcome of the grievance procedure, they may appeal the decision in writing to the nursery manager or a senior member of the team within 10 working days of receiving the outcome.
- An appeal meeting will be arranged to review the decision and ensure fairness and thoroughness in the handling of the grievance.

Disciplinary Procedure:

The disciplinary procedure applies when there are concerns about an employee's behaviour, performance, or conduct. This can include misconduct, violation of nursery policies, poor attendance, or failure to meet performance expectations.

Step 1: Informal Discussion:

- In cases of minor misconduct or performance issues, an informal discussion may take place between the employee and their manager to address the concern and set expectations for improvement.
- The outcome of the informal discussion will be documented, and the employee will be given the opportunity to improve.

Step 2: Formal Disciplinary Procedure:

- If informal discussions do not lead to improvement, or if the behaviour is more serious, the formal disciplinary procedure will be initiated.
- The employee will be given written notice of the disciplinary hearing, outlining the specific concerns or allegations. The employee will be informed of their right to be accompanied by a colleague or trade union representative at the hearing.

Step 3: Disciplinary Hearing:

- A disciplinary hearing will be held to allow the employee to respond to the allegations and provide any mitigating factors or explanations. The manager will also present evidence of the concerns or misconduct.
- The hearing will be conducted in a fair and impartial manner, ensuring the employee can explain their side of the matter.

Step 4: Outcome of Disciplinary Hearing:

- After considering all the evidence, the nursery manager will decide on the appropriate action. Possible outcomes may include:
 - Verbal warning.
 - Written warning.
 - Final written warning.
 - Suspension (if necessary, pending further investigation).
 - Dismissal (in the case of gross misconduct or repeated failure to improve performance).
- The outcome will be communicated to the employee in writing, including the reason for the decision and any steps to be taken.

Step 5: Appeal

- Employees have the right to appeal any disciplinary decision made. The appeal must be submitted in writing within 10 working days of receiving the disciplinary outcome.
- The appeal will be heard by a senior member of staff or a panel, and a final decision will be communicated in writing.

Gross Misconduct:

Certain behaviours are considered gross misconduct and may lead to immediate dismissal without prior warnings. These include, but are not limited to:

- Theft or dishonesty.
- Violence or abusive behaviour.
- Harassment or discrimination.
- Breach of child protection or safeguarding policies.
- Serious breaches of confidentiality.
- Illegal activities or criminal behaviour.
- Substance abuse while on duty.

Confidentiality:

All grievance and disciplinary matters will be treated with the utmost confidentiality. Information will only be shared with those directly involved in the investigation or hearing process. Disciplinary records will be kept securely and will only be shared in accordance with relevant legal or regulatory requirements.

Support for Employees:

We understand that grievance and disciplinary matters can be stressful and challenging. Employees are encouraged to seek support from colleagues, trade union representatives, or external support services if needed. The nursery will also provide support and guidance to staff to ensure they understand the grievance and disciplinary processes.

Review of Policy:

This policy will be reviewed annually (September 2025), or as needed, to ensure that it remains relevant and effective in meeting the evolving needs of the children, families, and staff within the nursery.

Name:	Position:	Signed:	Date:
David Birkbeck	Owner		
Kayleigh Tydd	Director		
Greg Bamber	Nominated Individual		
Zoe Tydd	Manager & DSL		
Abbie Lloyd	Deputy Manager		
Jade Radcliffe	Second Deputy Manager		
Pamela Lear	Practitioner		
Diane Jones	Practitioner		
Emily Gautrey	Practitioner		