



Staff Disciplinary Procedure

To provide a professional care service, I seek to employ well-motivated, highly skilled staff and ensure they receive regular training and support. Should there ever be cause for concern regarding the behaviour or performance of a staff member I will follow the procedure set out below.

Informal Discussion

In the case of minor offences, every effort will be made to resolve the matter through informal discussions with the setting manager and all parties concerned. Where this fails to bring about a satisfactory improvement, or in the case of more serious misconduct, the following disciplinary procedure will be followed:

Stage 1: Formal Verbal Warning

The member of staff will be given a formal verbal warning from the setting manager. The manager will explain the reason for the warning and the possibility of further disciplinary action, as per the setting's disciplinary procedure if the situation does not improve. The staff member will be informed of their right to appeal, and a note of the warning kept in the setting's staff records. This note will be disregarded after six months, subject to satisfactory conduct and/or performance.

Stage 2: First Written Warning

In the situation of a more serious offence, or where there has been no improvement following a formal verbal warning, the setting manager will issue the staff member with a written warning. The warning will give details of the complaint / misconduct and explain that a final written warning will follow if there is no improvement or if there is a further breach of the setting's policies. The warning will also explain the staff member's right to appeal. A copy of the written warning will be kept in the setting's staff records but will be disregarded after 12 months subject to satisfactory conduct and/or performance.

Stage 3: Final Written Warning

Following regular monitoring and support, where there is still no improvement in the staff member's performance, the manager will issue a final written warning. The warning will give details of the complaint / misconduct, what stages of the disciplinary procedure have already been followed, and that dismissal will result if there is no satisfactory improvement. The warning will also explain the staff member's right to appeal. A copy of the final written warning will be kept in the setting's staff records but will be disregarded after 24 months subject to satisfactory conduct and/or performance.

Stage 4: Dismissal

If the staff member's performance fails to improve or if, during the period of the final written warning, there is a further breach of the setting's procedures, the staff member will be dismissed. The manager must provide the staff member with a written explanation of the reasons for dismissal, including the date on which their employment ended and information about their right to appeal.

Gross Misconduct

Where an act of gross misconduct has been committed, the member of staff responsible will be dismissed without notice. Examples of gross misconduct include:

- Child abuse
- Failing to comply with health and safety requirements.
- Physical violence
- Bullying, racial or sexual harassment
- Being unfit for work through alcohol or illegal drug use
- Deliberate damage of the setting's property or equipment
- Theft (including photographing, photocopying, or removing documentation belonging to the setting), fraud or deliberate falsification of documents.
- Gross negligence that causes or might have caused injury, loss or damage to persons, property, or the reputation of the setting.
- Failure to disclose a caution or conviction.

Appeals

Staff have the right to appeal at any stage of the disciplinary procedure as explained in their verbal / written warning or dismissal letter. Any appeals must be made in writing within 15 days of the warning or disciplinary decision. Where possible another senior member of staff who was not involved in the original disciplinary action will be asked to hear the appeal and impartially adjudicate the case. All appeals will be dealt with as quickly as possible to avoid prolonged disruption.

Disqualification

As per the setting's Child Protection / Safeguarding Procedures, all staff have an obligation to inform the setting manager immediately if anything has changed in their own circumstances that might affect their suitability to work with children. This includes disclosing whether they, or anyone living in the same household, has received any convictions, cautions, court orders, reprimands, or warnings. Ofsted will be notified as soon as possible, and appropriate action taken to ensure the safety of children. This may include temporary suspension until Ofsted has checked the staff member's suitability or permanent dismissal where the person has been disqualified from working with children.

Referral to Disclosure and Barring Service

Where a member of staff has been dismissed because they have harmed a child or put children at risk of harm, the disclosure and Barring Service will be informed immediately. Ofsted will also be contacted with a full report of the reasons for the dismissal, any incidents that have occurred within the setting where a child has been harmed and what action taken to prevent future risk to children.

Allegations against staff members

All members of staff are advised to minimise the amount of time they spend alone with children and are made aware of the potential risks in doing so. Staff are required to make a note of any bruises or marks on children when they arrive at the setting and make detailed reports of any accidents or incidents that occur within the setting. Parents are required to sign these records. Should an allegation of abuse be made against any member of staff, the setting's child protection / safeguarding, and allegations of abuse policies will be followed. In some circumstances a member of staff may be suspended from their duties until allegations can be fully investigated.

Childminder's signature:

