English Nursery and Primary School

Onegino



Grievance and Disciplinary Policy

December 2018

Review date December 2021

**Aim of this Policy**

The aim of this policy is to resolve grievances (real or perceived causes for complaint, especially unfair treatment) promptly, through effective communication and discussion. Informal discussions between employees and school management are key to this and the vast majority of employee grievances can and should be resolved in this way. This approach prevents undue delay, lessens distress to the parties involved and it encourages good working relationships.

This policy outlines informal and formal routes for resolving employee grievances quickly, fairly, efficiently and as close to the source of the issue as possible. Its specific aims are to:

* Set out how an employee should raise a grievance
* Ensure that the nature of the grievance is made clear
* Ensure that the grievance is properly investigated
* Obtain, wherever possible, a speedy resolution to the problem
* Take appropriate actions
* Inform the employee of his or her right, in the event of unsuccessful resolution, to take the grievance to the next stage of the procedure

Both managers and employees are responsible for acting professionally and respectfully towards others in relation to the implementation of these procedures. All parties should have due regard for maintaining confidentiality.

**Grievance Procedure**

***Informal grievance procedure***

In the first instance an employee should discuss their concerns with their line manager, with a view to resolving them as part of the normal day to day life of the school.

As part of this procedure a line manager may take this issue for discussion with more senior personnel before as decision and subsequent action can be taken.

If this informal approach fails to resolve the issue, or if the complaint is about the school managers, then the formal grievance procedure should be used.

***Formal grievance procedure***

*Stage One*

If an informal approach fails to resolve the problem the employee should send a completed form “G1 – Notification of Grievance” to the head teacher or Deputy Director within five working days of the cause of the grievance (unless extended by mutual agreement).

The head teacher or Deputy Director will write to the employee acknowledging receipt of the form and inviting them to attend a meeting within five working days to address the issue. The employee may be accompanied to the meeting by a work colleague to act as witness to the proceedings.

The head teacher or Deputy Director will consider all the circumstances of the grievance before deciding what action, if any, to take.

The head teacher or Deputy Director will then advise the employee in writing, within five working days from the meeting, whether or not the grievance is upheld and any action they propose to take, with timescales and the reasons for their decision.

The completed letter will be recorded on file.

*Stage Two*

If the employee is dissatisfied with the outcome of the meeting, they must send a completed form “G2 – Grievance Appeal” to the ENS director, through her PA (pa@englishnursery.ru) within five working days of the receipt of the outcome letter from stage one. The form should include full details of the grievance, including why the employee is dissatisfied with the outcome and it should specify what outcomes the employee is seeking. A copy of the stage one response must also be attached.

A final decision will be sent within ten working days of receipt of the form. During this time, the grievance will be fully considered and further investigation, including more face to face meetings, may occur.

This decision will be considered final. There is no further appeal after this stage.

**Grievance against School Leadership**

Where the school leadership is the subject of the grievance, the individual should attempt, where possible, to resolve the issue informally through discussion.

If the matter remains unresolved, or the employee feels that a more formal approach is required, then they should proceed to stage one of the formal procedure and work through the stages in the usual way.

**Notes about the Grievance Process**

The timescales indicated will be adhered to whenever possible, but under exceptional circumstances may need to be extended.

The records of any meetings concerned with grievances will be classified as sensitive data, and as such must be relevant, accurate, confidential and secure.

**Disciplinary Procedure**

At ENS we firmly believes that the fairest way to resolve any problems relating to conduct or performance is to have a clear and well-structured disciplinary procedure. The procedure is designed to help and encourage all staff to achieve and maintain the expected standards of conduct, attendance and performance and should be looked upon as a collaborative, corrective process.

***Informal disciplinary procedure***

Where conduct, attendance or performance of an employee are not deemed to meet the required standard, the line manager should initially attempt to resolve the problem through an informal meeting to discuss the issue. At this stage, the line manager should offer support and guidance in order to enable the employee to address the matter in order to reach the required standards.

An improvement plan will be put in place to ensure continuous support and to monitor improvement. Specific targets will be set, along with a timescale for progress to be demonstrated and measures to be put in place by the school to assist the employee in achieving those targets.

If the employee fails to address the issues raised, or fails to meet the targets within the timescale, then the next stage would be the formal disciplinary procedure.

***Formal disciplinary procedure***

Any formal disciplinary action will only be taken after full investigation into the facts. Employees will always be kept informed regarding allegations of misconduct, or any shortfall in performance or capability.

In the first instance of conduct, attendance or performance not reaching the required standard, the employee will be invited to a disciplinary meeting, where the details and specific nature of the matter will be discussed. The employee will have the chance to respond to any issues raised. The outcome of this meeting may lead to any of the following sanctions, dependant on the severity of the transgression. The outcome of the meeting will be confirmed in writing to the employee within five working days.

If the employee fails to give adequate justification for their failure, a formal verbal warning will be issued. The verbal warning will remain in the employee’s records for six months.

In the second instance, or where the misconduct or performance issue is considered serious enough to warrant the bypassing of the verbal warning, a written warning will be issued after a meeting to discuss the matter. A written warning will remain on file for twelve months.

If there is still inadequate improvement in conduct or performance, or where the misconduct or performance issue is considered serious enough to warrant the bypassing of the first written warning, a final written warning will be issued following a further meeting. This will remain on file for twelve months.

Where there is continued or further misdemeanour after a final written warning, dismissal will occur. Dismissal is not taken lightly by ENS and this decision should be made only as a last resort, or in light of gross misconduct.

As with every stage of the disciplinary procedure, a colleague may attend the meeting as a witness to the process and the appeal process may be started by the employee, using the agreed grievance procedure.

**Staff Conduct**

ENS expects all staff to behave in a professional and reasonable manner and adhere to the Professional standards for teachers . <https://www.gov.uk/government/publications/teachers-standards>

 For example:

* To be punctual and to adhere to any specified break times
* To attend work regularly and minimise absenteeism wherever possible
* To be courteous, helpful and polite to anyone with whom you have contact
* To maintain the safety and confidentiality of any school information
* To comply with any rules and guidelines issued by the school

*Conduct outside working hours*

Behaviour outside working hours only becomes an issue if the actions adversely affect ENS. For example: anything that may diminish the reputation of ENS. The detriment suffered by the school will determine the level of misconduct and therefore also determine which disciplinary stage is most appropriate.

Conduct outside of work includes activity on social media and other forms of communication.

**Gross Misconduct**

Gross misconduct will result in summary dismissal, which means loss of entitlement to notice or pay in lieu of notice. Gross misconduct includes the following:

* Deliberate failure to comply with policies and guidelines adopted by the school, including, but not limited to, health and safety, safeguarding, equal opportunities, e-safety etc.
* Deliberate falsification of records
* Omission of pertinent information regarding ability/suitability to work with children
* Any assault to another person
* Using threatening or offensive language towards another person
* Being unfit to work through failure to follow medical advice or through substance abuse
* Possession of illegal substances in work
* Theft
* Obscene behaviour
* Wilful and deliberate damage to, or misuse of, company property
* Conviction of any criminal charge relevant to employment
* Undertaking private work on school premises without permission

**This policy will be monitored and reviewed in: December 2022.**

**Appendix 1**

**Form G1 – Notification of Grievance**

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| --- |
| ***Grievant information*** |
| Name: | Date: |
| Job Title: |
| Contact email: | Contact phone number: |
|  |  |  |
| Date, time and place of event leading to grievance |
|  |
| Detailed account of occurrence (include names of persons involved, if any) *Continue overleaf if necessary* |
|  |
| Please state policies, procedures or guidelines that you feel have been violated |
|  |
| Proposed solution to grievance |
|  |

The grievant should retain a copy of this form for his/her records. The signature below indicates that you are filing a grievance, and that any information on this form is truthful and accurate.

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Employee signature Date

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Received by Date

**Appendix 2**

**Form G2 – Grievance Appeal**

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| --- |
| ***Grievant information*** |
| Name: | Date: |
| Job Title: |
| Contact email: | Contact phone number: |
|  |  |  |
| Date, time and place of event leading to grievance |
|  |
| Detailed account of occurrence (include names of persons involved, if any) *Continue overleaf if necessary* |
|  |
| Please state policies, procedures or guidelines that you feel have been violated |
|  |
| Solution given at stage 1 and reason for dissatisfaction |
|  |
| Proposed solution to grievance |
|  |

The grievant should retain a copy of this form for his/her records. The signature below indicates that you are filing a grievance appeal, and that any information on this form is truthful and accurate.

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Employee signature Date

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