



Disciplinary Procedure

Introduction

Houghton and Wyton Pre-school is committed to maintaining high standards of conduct and professionalism among all staff. This disciplinary procedure sets out how concerns about staff conduct or capability will be addressed fairly, promptly, and consistently, in line with employment law, the **Statutory Framework for the EYFS (2023)**, and the **ACAS Code of Practice**.

Aim

To provide a clear framework for addressing breaches of conduct or performance in a fair and proportionate manner.

Objectives

We will:

- Handle disciplinary matters with integrity, confidentiality, and objectivity
- Ensure concerns are investigated promptly and thoroughly
- Support staff to improve where possible through fair warnings and development plans
- Escalate serious breaches in line with safeguarding and employment legislation

Roles and Responsibilities

- **Manager/Deputy:** Responsible for managing investigations, meetings, and initial decisions
- **Board of Trustees:** Leads any appeal process or cases involving the Manager
- **Employee:** Expected to engage with the process respectfully and has the right to be accompanied

1. Informal Stage

- Minor breaches of conduct or performance are usually addressed informally through discussion or coaching
- Informal action is not disciplinary but may be recorded for monitoring
- If concerns continue, the formal process will begin

2. Formal Stage: Investigation

- A formal investigation is conducted if:
 - A serious breach is alleged
 - Informal steps have failed
- The employee is notified of the issue in writing, including:
 - Alleged misconduct or concerns
 - Potential consequences
 - Right to be accompanied by a colleague or union rep

3. Disciplinary Meeting and Outcome

- A disciplinary meeting is arranged within 10 working days of written notification
- Following the meeting, the outcome will be confirmed in writing within 5 working days, which may include:
 - No further action
 - Informal advice or verbal warning
 - Written warning (valid for 6 months)
 - Final written warning (valid for 12 months)
 - Dismissal with notice or summary dismissal (gross misconduct)

4. Right of Appeal

- Employees may appeal in writing within 5 working days of receiving the outcome



- An appeal meeting will be arranged with a panel of Trustees who were not previously involved
- The decision following the appeal is final

5. Gross Misconduct

The following are examples of gross misconduct:

- Serious breach of safeguarding or child protection duties
- Physical or verbal abuse of a child, colleague, or parent
- Theft, fraud, or deliberate damage to property
- Serious breach of confidentiality
- Substance misuse while on duty
- Bringing the setting into disrepute
- Falsifying records or timesheets
- Refusal to follow reasonable instructions without justification

6. Suspension

- An employee may be suspended with pay while an investigation is underway if:
 - There is a safeguarding concern
 - It would be unsafe or impractical for them to remain on duty
- Suspension is a neutral act and not a disciplinary penalty
- This decision is made by the Manager or the Board of Trustees and reviewed regularly

7. Safeguarding and Reporting Requirements

- Allegations involving harm or risk to a child must be reported immediately to:
 - The Designated Safeguarding Lead (DSL)
 - The Local Authority Designated Officer (LADO)
 - Ofsted, if the individual is disqualified or dismissed
- These cases are handled under policy **6.2 Allegations Against Staff**

8. Confidentiality and Record Keeping

- All disciplinary records are stored securely and retained in line with the Data Protection Act 2018
- The outcome of disciplinary procedures will be communicated clearly and confidentially
- Anonymous reporting and whistleblowing routes remain available

Monitoring and Review

This policy is reviewed annually by the Manager and Board of Trustees or earlier if there are changes to guidance, case law, or best practice.

Legislation and Guidance

- Statutory Framework for the EYFS (2023)
- Employment Rights Act 1996
- ACAS Code of Practice on Disciplinary and Grievance Procedures
- Safeguarding Vulnerable Groups Act 2006
- Data Protection Act 2018 and UK GDPR
- Children Act 1989 & 2004

Acknowledgment

All staff are expected to read and understand this policy. By doing so, they agree to follow the disciplinary process outlined and maintain professional standards at all times.