



## 5.5 Behavior Management Policy

### PURPOSE(S):

Little Haven Nursery prides itself on having a strong, committed, professional team of staff who work together well in harmony to provide good quality child care where priority is given to creating a happy, caring and stimulating environment that is safe and secure. Employees adhere to our Equal Opportunities policy, treating children, parents, staff and management with respect and act exemplary role model at all times. However, should an Employee breach any protocol within the Nursery the following procedures will take place:

### DESCRIPTION(S):

#### Discipline Procedure:

- ❖ This procedure sets out the action which will be taken when disciplinary rules are breached.
- ❖ The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues.
- ❖ Disciplinary action will be taken when matter has been fully investigated by the Employer. Meanwhile the employee might be suspended from work until the matter is resolved.
- ❖ At every stage the Employee will have the opportunity to state their case and be represented or accompanied by a fellow Employee should they wish.
- ❖ The Employee will have the right to appeal against any disciplinary penalty. However, the Employee retains the right to accept or refuse the appeal.

#### Stage 1 – Oral Warning

- ❖ If the conduct or performance is unsatisfactory, the Employee will be given an oral warning which will be recorded in their individual staff file.
- ❖ The warning will be disregarded after 3 months of satisfaction service.

#### Stage 2 – Written Warning

- ❖ If the offence is serious or there is no improvement in the Employees standards after the initial oral warning, or, if a further offence occurs, a Written Warning will be issued.
- ❖ This will include the reason for the warning and a note that, if there is no improvement after 3 months a Final Written Warning will be given.





### Stage 3 – Final Written Warning

- ❖ If the conduct or performance is still unsatisfactory, or if a further offence occurs a Final Written Warning will be given making it clear that any recurrence of the offence or other serious misconduct within a period of 3 months will result in dismissal.

### Stage 4 – Dismissal

- ❖ If there is no satisfactory improvement or if further serious misconduct occurs within a period of 3 months, the Employee will be DISMISSED without notice.

### Gross Misconduct

- ❖ If after investigation, it is confirmed that the Employee has committed one of the following or similar offences, they will normally be dismissed following immediate suspension or without notice:
- ❖ Theft, damage to Nursery property, fraud, incapacity to work due to being under the influence of alcohol or illegal drugs, verbal and/or physical assault and/or disrespect against a child, parent or member of staff and/or management, gross insubordination, working on own account during Nursery time and/or with Nursery facilities and/or failure to adhere to the Nursery's Policies and Procedures as agreed and accept upon appointment.
- ❖ While alleged Gross Misconduct is being investigated, the Employee may be suspended, during which time the normal sessional rate will be paid.
- ❖ Any decision to dismiss will be taken by the Employer, only after a full investigation.

### Appeals

- ❖ If the employee wishes to appeal against any disciplinary decision, they must do so within 48 hours.
- ❖ The employer will hear the appeal and decide the case as impartially as possible.

### Grievance Procedure

- ❖ It is a Nursery policy to ensure that any Employee with a grievance has access to a procedure which can lead to a speedy resolution of the grievance in a fair manner.
- ❖ If the Employee has a grievance about their employment, they should first raise it orally and accompanied by a letter to the Nursery Manager. This will be discussed with the Proprietor of the nursery and a decision will be given to the employee within five working days. The decision will be final

### Term of Suspension

- ❖ It is a conditional that you must not visit the nursery or have any contact with staff, parents or pupils. This is intended to protect you from any potential allegations of harassment/intimidation of witnesses or collusion and is therefore in your own





interests. Failure to follow this condition could, in itself, lead to formal disciplinary action being taken against you from any potential allegations of harassment/intimidation of witnesses or collusion and is therefore in your own interests. Failure to follow this condition could, in itself, lead to formal disciplinary action being taken against you. You may contact the Nursery Manger or nursery Proprietor in regard in regard to any work-related matters.

- ❖ There must be no discussion about the case or matters relating to it within any members of staff, parents or pupils. (You will be allowed to discuss matters during matters during investigation meetings). Failure to follow this condition could, in itself, lead to formal disciplinary action being taken against you.
- ❖ Reasonable social contact with colleagues is permitted provided that such contacts are off school premises and all the other terms of this suspension being respected, including the requirement for confidentiality.
- ❖ Any attempt by you, or by anyone else on your behalf, to interfere with the investigation is likely to be regarded as gross misconduct. This applies to any such contacts whether taking place on the nursery premises or outside of the nursery.
- ❖ If for any reason you should need to visit the nursery, you must seek prior permission, in writing, from the Nursery Manager or Nursery Proprietor.

