



Disciplinary Procedure.

Bearhugs Nurseries Ltd. views any breach of discipline as extremely serious. Those involved with, or responsible for, breaches will be subject to disciplinary proceedings at the appropriate level.

Bearhugs Nurseries Ltd. requires rules and procedures to be complied with to ensure a good relationship between employees and their managers. It is hoped that there will be no need to use the disciplinary procedure.

However, should such action be deemed necessary, the procedure laid down below should allow all relevant issues to be dealt with reasonably. Disciplinary action is initially at the discretion of the individual's Manager.

- Employees will only be disciplined or dismissed after Manager has confirmed the decision to take disciplinary action with the management/ owner.
- An Attempt should first be made to resolve the problem informally.
- Where a letter of complaint is given, you are entitled to 7 days notice of any disciplinary hearing. You will have right to attend the hearing and to reply to the complaint.

The statutory procedure, which is set out full in schedule 2 of the Employment Act 2002, can be summarised as follows, however Bearhugs Nurseries Ltd, reserves the rights to change or alter the steps and stages dependent on the situation: The following stages apply:

Step 1

The employee will be notified in writing of the alleged complaint - in terms performance or conduct: and the basis for the allegations will be set out and the employee will be invited to a meeting to discuss the matter.

Step 2

A meeting will be held to discuss the basis of complaint - the employee has the right to be accompanied by a work colleague or union representative. The employee will be advised of the decision and the right to appeal.

Step 3

An appeal meeting will be held (if the employee wishes to appeal) at which the employee has the right to be accompanied (as above) - the employee will be advised of the final decision.

Unless the complaint is dismissed Bearhugs Nurseries Ltd. will give you written notice as detailed above.

Verbal Warning

- Employee will be interviewed by their Line Manager and given an opportunity to explain their case.
- The employee will be given advice and help if possible and, if a disciplinary warning is deemed to be necessary, a verbal warning will be given and a record of this will be kept on the individual's personal file and will not be considered 'spent' until twelve months have elapsed.
- This warning will detail the reason, the expected improvements and the time scale within which improvements should occur and the names of the persons present during the meeting
- Your Line Manager will report any verbal warnings to the Management/Owner.

First Written Warning

- The employee will be interviewed by the Manager concerned and given an opportunity to explain their case. Managers will have discussed their intended course of action with the Management/Owner before proceeding.
- If a disciplinary warning is deemed to be necessary, a First Written Warning will be given and a record of this will be kept on the individual's personal file and will not be considered 'spent' until twelve months have elapsed
- This warning will detail the reason, the expected improvements and the time scale within which improvements should occur and the names of the persons present during the meeting.

Final Written Warning

- The employee will be interviewed by the Manager concerned and given an opportunity to explain their case. Managers will have discussed their intended course of action with the Management/Owner before proceeding.
- If a disciplinary warning is deemed to be necessary, a Final Written Warning will be given and a record of this will be kept on the individual's personal file and will not be considered 'spent' until twelve months have elapsed

- This warning will detail the reason, the expected improvements and the time scale within which improvements should occur and the names of the persons present during the meeting.
- The warning will also confirm that further breaches of discipline may lead to termination of employment.

Dismissal

- Any proposal for dismissal will be initially considered and approved by the Management/Owner
- The Manager accompanied by the owner or another senior staff member will interview the employee and give them the opportunity to explain their case and respond to any changes made.
- If the proposal to dismiss is endorsed, the Management/Owner will serve notice of termination of employment on the employee.
- In cases of gross misconduct, such as physical violence, theft, improper personal behaviour, malicious damage to property or similar offences, employees may be summarily dismissed without notice and without issuing warnings as detailed above.
- Bearhugs Nurseries Ltd. reserves the right to use or omit any steps in the procedure should the nursery consider it appropriate and also reserves the right to have a flexible yet fair standard of disciplining employees if required.
- All employees have the right to be represented by a fellow employee or union representative at any disciplinary/dismissal meetings.

Signed on behalf of the setting by:

Manager/Owner

Date: 1st May 2020

Review Date: 1st May 2021