

D . A . R . E

Discovery Adventure Recreational Educational
Supporting SEN children to learn through play in a secure environment

DISCIPLINARY PROCEDURE

PURPOSE

DARE PLAYSCHEME expects all its employees to behave reasonably at work and to respect and abide by DARE PLAYSCHEME's policies. The disciplinary procedure is aimed to provide clear organisation work rules, encourage the resolution of employment disputes within the workplace and put in place measures to prevent further issues.

The policy will provide a fair supportive consistent approach to the management of conduct issues in line with ACAS guidelines.

This procedure applies to all employees who work at DARE PLAYSCHEME and is designed to reflect best organisation in line with the ACAS guidelines, which are set out below:

Step 1

The employer will set down in writing the nature of the employee's conduct, capability or other circumstances that may result in dismissal or disciplinary action and send a copy of this statement to the employee. The employer will inform the employee of the basis for their complaint.

Step 2

The employer will invite the employee to a hearing at a reasonable time and place where the issues can be discussed. The employee must take all reasonable steps to attend. After the meeting, the employer will inform the employee about any decision and offer the employee the right of appeal.

Step 3

If the employee wishes to appeal, they must inform the employer. The employer will invite the employee to attend a further hearing to appeal against the employers' decision and the final decision will be communicated to the employee. Where possible, a more senior manager should conduct the appeal hearing.

The above procedure will apply to all employees, irrespective of length of service. Disciplinary rules and procedures are necessary to promote fairness.

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FORMS OF DISCIPLINARY ACTION

Informal Warning:	Normally given for minor offences.
First Written Warning:	For more serious offences or accumulation of minor offences
Final Written Warning:	For further misconduct or where misconduct falls short of dismissal.
Dismissal with Notice:	Where conduct or performance is still unsatisfactory, and the employee fails to reach prescribed standards.
Dismissal for Gross Misconduct without notice:	Other than cases of gross misconduct a prior warning or written warning is a prerequisite to dismissal.

GUIDING PRINCIPLES

No employee will be dismissed for a first breach of discipline, except in the case of gross misconduct, when the penalty will generally be dismissal without notice. The procedure may be implemented at any stage if the employee's alleged misconducts warrants such action. No disciplinary action will be taken against an employee until the case has been fully investigated.

The employee will be kept informed at all stages by the investigating manager, in writing, in advance of any hearing or meeting, of the specific nature of the allegation or complaint, and be given a full copy of the Disciplinary procedure and available documentation to make sense of the alleged facts.

If appropriate, DARE PLAYSCHEME may, by written notice, suspend an employee for a specified period during which time such an investigation will be undertaken. If the employee is suspended their contract of employment will be deemed to continue together with all rights under it including payment of salary. Suspension will only occur when it is necessary to prevent risk of further breaches of conduct, to protect employees or organisation property.

However during the period of suspension the employee will not be entitled access to DARE PLAYSCHEME premises except at the prior request or with the prior consent of DARE PLAYSCHEME at such time and

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subject to such conditions as DARE PLAYSCHEME may impose. At every stage in the procedure the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.

The employee may be represented/accompanied by a family/work colleague. In exceptional circumstances, such as where an employee's professional registration may be affected, they may wish to be accompanied by a solicitor.

All letters concerning the disciplinary hearing will be sent both recorded delivery and first class to the employee's home address clearly marked private and confidential addressee only to open.

The employee will be given at least two working days' notice of any meeting/hearing to allow sufficient time for them to prepare the case. The employee is expected to make all reasonable steps to attend.

At the disciplinary hearing prior to the decision being made, the employee or their representative will have the opportunity to bring witnesses to offer evidence, to respond to the case to the panel that will make the disciplinary decision. Upon notification of the decision, the employee is to be informed of their rights and method of appeal.

All factors will be considered that may be relevant to the disciplinary, such as the extent to which standards have been breached, precedent, historical records and general standards of work.

Cases will be handled as quickly as possible and where there is significant delay the employee will be notified of the reason and when a decision is likely to be made.