

West Tytherley Primary School

Staff Discipline and Grievance Policy

Reference:

A. Education Personnel Services: Manual of Personnel Practice, Volume 1, Section 4 (May 2004).

Introduction

1. This document sets out the procedures to be followed should there be an issue with staff discipline or a dispute or grievance between members of staff.
2. West Tytherley Primary School is a small school which takes pride in its professional but family atmosphere. The Governing Body is committed to ensuring that all staff should be treated in a consistent, fair and sensitive manner. The following disciplinary rules have therefore been drawn up in consultation with the staff. It is expected that, wherever possible, problems of indiscipline or grievance will initially be dealt with through informal counselling. Where this does not lead to an acceptable result, the relevant disciplinary or grievance procedure will be operated.

Staff Discipline

3. The lists below are not exhaustive and there may be other matters which are sufficiently serious to warrant consideration as 'misconduct'¹ or 'gross misconduct'. 'Gross misconduct' occurs when the actions complained of are such that it is not feasible to tolerate continued presence by the member of staff at the place of work while the matter is being investigated.
4. **Misconduct** which may warrant action under the disciplinary procedure includes:
 - Poor timekeeping, persistent lateness, unauthorised absence;
 - Unauthorised use of school facilities;
 - Wilful failure to comply with a reasonable instruction from a member of senior management;
 - Persistent minor breaches of health and safety requirements;
 - Foul or abusive language;
 - Sexual or racial harassment;
5. **Gross Misconduct** which, due to its nature, may lead to a suspension from post includes:
 - Unauthorised removal of, malicious damage to, or theft of, school property;
 - Serious sexual or racial harassment;
 - Dishonesty;
 - Serious breach of health and safety requirements;
 - Criminal offences which undermine the employees ability to perform their job;
 - Sexual misconduct at work, sexual offences;
 - Persistent and wilful failure to comply with a reasonable instruction from a member of senior management;
 - Physical assault;
 - Drunkenness;
 - Falsification of timesheets or expense claims.
6. **Disciplinary Procedure.** These procedures apply to permanent staff (and those with employee protection rights) employed at the school. The procedures set out in this document in no way supersede those set out in the Reference (the Staff Handbook, Section 4), a copy of which is retained in the School Office, and which should always be used and followed as the primary reference.

¹ Includes negligence or gross negligence, where this amounts to a breach of contract.

7. In brief, the discipline procedure comprises five stages as follows:
 - Initial oral warning;
 - First written warning;
 - Final written warning;
 - Governing Body hearing;
 - Appeal hearing.
8. These steps will be applied in accordance with Appendix 12 of the Reference.

Staff Grievance

9. In the first instance, all members of staff should be patient and make every effort to respect other points of view, teaching styles, abilities, levels of experience and personal shortcomings.
10. If a member of staff feels, after due consideration and tolerance, that the dispute or grievance cannot be reconciled then the procedure to be adopted is set out below. Under no circumstance should dispute or grievance be discussed with other members of staff or be the subject of staff room discussions.

Staff Grievance Procedures

Under no circumstances should disputes or grievances be discussed with other members of staff or be the subject of staff room discussions.

1. Where a member of staff has a grievance which involves (an) other member(s) of the staff, it is hoped that he/she will first endeavour to resolve the matter amicably by direct approach to the member(s) of staff involved or in discussion with the Head Teacher.
2. If the Head Teacher becomes involved as above, she should seek to resolve the problem personally, or by mutual agreement, in consultation with other member(s) of the staff.
3. Where a member of staff requests a personal interview with the Head Teacher, it should be granted within five working days of the request being made.
4. If the member of staff has a grievance relating to his/her conditions of employment the member of staff should raise the matter initially with the Head Teacher. The member of staff may be required to put any such grievance in writing.
5. The Head Teacher will, having enquired into the member of staff's grievance, discuss it with the members of staff involved and will then notify the member of staff of her decision.
6. If the decision of the Head Teacher is not acceptable to the member of staff, the member of staff may refer the matter in writing to the Chairman of the Governors who will investigate the matter and, if appropriate, forward it to the committee of three Governors appointed by the Governors (the "Staff Dismissal Committee") and their decision will be final and binding. The member of staff will have the right to make representations either in writing or orally to the Grievance Panel and at the hearing of any such grievances the member of staff may be represented or accompanied by anyone chosen by him/her for this purpose.

Approved by the Governing Body

Signed
Chairman

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