



Disciplinary Policy & Procedures

At the Tithe Barn Preschool, we take any concern very seriously and will manage this accordingly to our policies and procedures laid out in this document. Advice will always be sought from the Local Early Years Team (Main Office – 01452 427224) in reference to our Safeguarding Policy.

There are two parts to our Disciplinary policy:

- Low Level Concerns
- Disciplinary Action

Low-Level Concerns

The low-level concerns policy enables all staff to share any concerns, no matter how small, about their own, or another member of staff's behavior, with the Managers / Assistant Manager of the setting. Safeguarding and promoting the welfare of children is everyone's responsibility and that is why it is so important to share any low-level concerns.

A low-level concern does not mean that is insignificant, it means that the adult's behavior does not meet the threshold whereby an allegation would be made to the LADO.

A low-level concern is any concern, even if no more than causing a sense of unease or a 'nagging doubt' – that an adult may have acted in a way that is inconsistent with Tithe Barn Preschool's Staff Code of Conduct, including inappropriate conduct outside of work and does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO, but may merit consulting with and seeking advice from the LADO, and on a no names basis, if necessary.

The purpose of the policy is to create and embed a culture of openness, trust and transparency, in which Tithe Barn Preschool's values and behavior, as set out in the Staff Code of Conduct, are constantly lived, monitored and reviewed by all staff. In order to achieve this purpose, Tithe Barn Preschool will:

- Ensure staff are clear about what appropriate behaviour is, in themselves and others
- Empower staff to share any low-level concerns and help all staff to interpret the sharing of such concerns as a neutral act
- Address unprofessional behavior and support the individual to correct it at an early stage
- Identify problematic or concerning behavior, that may need to be consulted upon with, or referred to, the LADO
- Provide for responsive, sensitive and proportionate handling of such concerns when they are raised and help identify and weaknesses in the safeguarding system

It is critical that all low-level concerns are received by the Managers or DSLs. All low-level concerns must be shared as soon as reasonably possible. Staff should complete the Low-Levels Concern Form. The Managers will then speak to the person who raised the concern, speak to any potential witnesses, speak to the individual about whom the low-level concern has been raised. They will then review the information and determine whether the behaviour constitutes a low-level concern. If there is any doubt whatsoever advice will be sought from the LADO. Appropriate records will be made of all conversations, their determination regarding the low-level concern, rationale for their decision and any action taken. All low-level concerns will be retained in a central, confidential low-level concerns file.



Low Level Concern Form

Please use this form to share any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ – that an adult may have acted in a way that:

- is inconsistent with Tithe Barn Preschool Staff Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO or disciplinary.

You should provide a concise record – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (please use a separate sheet if necessary).

Details of Concern (inc. Names, dates, times)	
Name of person reporting the concern	
Role	
Date	
Time	
Signed	
Managers Use Only	
Received by	
Date	
Time	
Signed	
Action Taken	



Disciplinary Action

If Managers need to take Disciplinary Action, they will always seek advice from the LADO firstly, and follow the ACAS Code of Practise which include the disciplinary steps; a formally written letter setting out the offence, a meeting to discuss the offence, a disciplinary decision and then a chance to appeal this decision.

Disciplinary action taken against a member of staff will be based on the following procedure:

Offence	1 st Occasion	2 nd Occasion	3 rd Occasion	4 th Occasion
Unsatisfactory Conduct e.g. low-level concerns	Formal verbal warning	Written warning	Final written warning	Dismissal
Misconduct e.g. failure to follow TBP Policies & Procedures, Staff Code of Conduct, multiple low-level concerns, two failed Supervisions	Written warning	Final written warning	Dismissal	
Serious Misconduct e.g. breach in contract, inappropriate behaviour that could affect the TBP reputation, Statutory Training lapsed	Final written warning	Dismissal		
Gross Misconduct e.g. any issues relating to our Safeguarding Policy, serious breach of contract, etc	Dismissal			

The Managers retain discretion in respect of the disciplinary procedures. They may take into account your length of service and vary the procedures accordingly. If you have a short amount of service, you may not be in receipt of any warnings before dismissal but you will retain the right to a disciplinary hearing and you will have the right of appeal.

If a disciplinary penalty is imposed it will be in line with the procedure outlined above, which may encompass a formal verbal warning, written warning, final written warning, or dismissal, and full details will be given to you.

In all cases, warnings will be issued for misconduct, irrespective of the precise matters concerned, and any further breach of the rules/staff contract in relation to similar or entirely independent matters of misconduct will be treated as further disciplinary matters and allow the continuation of the disciplinary process through to dismissal if the warnings are not heeded.

Please be aware, when providing references, Managers have the legal obligation to inform future employees of any disciplinary actions that have occurred during your employment.

Written September 2020, Reviewed annually

Signed:  