

Date Valley School

Company number: 06845508 Registered Charity number: 1136298
Mitcham Court, Cricket Green, Mitcham, Surrey, CR4 4LB
Telephone: 0208 648 4647 · Tel: 07980299717 Email: managingdirector@dvst.org.uk



STAFF DISCIPLINE, CONDUCT AND GREVIANCE POLICY

This policy is applicable to all school based staff. It covers all concerns which employees may have about their work or their relationships at work, including complaints of discrimination, harassment or bullying.

General principles:

The School encourages informal resolution of disputes in as many instances as possible. However, it is recognised that this may not always be possible. The disciplinary and grievance procedure provides a mechanism to deal with these issues as fairly, as quickly and as transparently as possible.

In the case of discrimination, harassment or bullying complaints, employees should also use this grievance procedure.

The School will not tolerate unlawful discrimination, harassment and bullying, and will take the appropriate action against such behaviour.

Absence from work:

If the employee is unable to come to work, she/he must inform the Principal or Deputy Principal the evening before the absence. Notification must be by phone call. When notifying he/she should indicate the reason for absence and its likely duration.

Appointments should be made during non-timetabled time.

Employees must not take time off during term time. All holiday dates booked should coincide with the holiday periods in the school term dates.

Absence because of sickness:

All days of absence because of sickness must be covered by a medical certificate.

For the first seven days, a self-certificate will be acceptable. For illnesses of more than seven days, a doctor's certificate must be produced on the eighth day and weekly thereafter. If the absence through illness lasts for less than a working week, a self-certificate needs to be handed to the school manager on return to work.

Because of the rules relating to the payment of Statutory Sick Pay it is important that the certificates indicate actual days of sickness even if they are sometimes days when the employee would not have worked, e.g. weekends and public holidays.

Most employees will be entitled to Statutory Sick Pay in accordance with the rules laid down by law. The first three qualifying days of absence do not attract Statutory Sick Pay.

If the employer has good cause to believe that an employee is exploiting the sick pay scheme, or is claiming sickness absence where this is not the case, sick pay may be withheld.

Deductions in pay due to absence / illness will be at the employer's discretion.

While the employer will normally be sympathetic to cases of genuine sickness, illness or accident, prolonged or persistent absence for these causes may be dealt with through the disciplinary procedure. Where the nature of the illness indicates that the employee might be regarded as having a disability under the Disability Discrimination Act 1995, the employer will try its best to help the employee return to work through reasonable adjustments where these are possible.

Where there is concern for an employee's health and their ability to carry out their work, the employer reserves the right to ask that employee to submit an independent medical examination report.

Notice period:

If an employee wishes to terminate the employment contract with Date Valley School Trust, he/she is required to give one term's notice in writing to the Principal. At the discretion of the employer a shorter notice period may be acceptable under certain circumstances as long as an alternative employee can be found using reasonable means.

Should the employer wish to terminate the employees contract, for reasons other than gross misconduct (Gross misconduct occurs when the actions complained of are such that it is not feasible to tolerate the continued presence of the employee at the place of work whilst the matter is being investigated), the employee will be entitled to a notice period of four weeks.

Should an employee continue working after the age of 65 and then decide that he/she wishes to leave, the employer must be given the period of notice set out in the contract.

Notice period for management staff:

If management staff wish to terminate their employment contract with Date Valley School Trust, they are required to give six months notice in writing to the Chair of the school trustees. At the discretion of the Trustee board a shorter notice period may be acceptable under certain circumstances as long as a suitable replacement can be found using reasonable means.

Should the Trustee board wish to terminate the management staff's contract, for reasons other than gross misconduct, he/she will be entitled to a notice period of three months.

Disciplinary procedure:

Reasons that may give rise to the need for disciplinary measures include some of the following:

- 1) Causing a disruptive influence in the workplace.
- 2) Job incompetence.
- 3) Unsatisfactory standard of dress or appearance.
- 4) Conduct during or outside working hours prejudicial to the interests or reputation of the employer.
- 5) Unreliability in time keeping or attendance.
- 6) Failure to comply with instructions policies and procedures, for example ensuring the general safety and care of the children in the school – consult staff hand book for further details
- 7) Breach of confidentiality clause.
- 8) Failure to implement guidance received following classroom observations.

In the event of the need to take disciplinary action, the procedure will be:

- 1) One verbal warning from the Principal / Deputy Principal.
- 2) One written warning issued by the Principal / Deputy Principal followed by an informal meeting.
- 3) Formal meeting. The employee has the right to be accompanied at all formal meetings by a representative of their choice.
- 4) Dismissal.

Reasons which might give rise to immediate dismissal include the following:

- ❖ Theft.
- ❖ Drunkenness.
- ❖ Illegal drug taking.
- ❖ Child abuse or failure to respect the dignity of the child.
- ❖ Any behaviour that deems the employee unsuitable to work with children and vulnerable adults.

Grievance procedure:

If the employee has any grievance arising from his/her employment, it should first be raised informally with the Principal / Deputy Principal.

If this does not resolve the matter, the employee should put the matter in writing, setting out the nature of the grievance and send the written complaint to the Principal / Deputy Principal, who will hold a formal meeting with the employee to discuss the grievance.

After the meeting, the employee will be informed of the outcome. If, in the employees view, this still fails to address the grievance, he/she may appeal the decision by setting out the grounds of his/her dissatisfaction in writing and sending this to the Chair of the school trustees who will follow procedures as set out in the schools complaints policy.

The employee has the right to be accompanied at all formal meetings by a representative of their choice.

Confidentiality:

It is a condition of employment that now and at all times in the future the employee shall keep the matters and concerns of the school and its transactions and business affairs confidential.

Time Scale:

In order to deal with employees' concerns fairly and quickly, it is important that all parties involved ensure that they meet the prescribed timescales. Grievances will normally only be considered where the grievance relates to an event/decision which occurred **no more than three months prior to the grievance being raised**. Grievances raised outside this timeframe will only be considered under the procedure in exceptional circumstances.

Duty of good faith:

Except with the express written permission of the employer, the employee will not engage in or be concerned with (whether directly or indirectly) any other business or trade which interferes with or conflicts with the performance of the duties of the employee under this contract, or which competes directly or indirectly with the business of the employer. In addition to this the employee must agree not to open up a business that conflicts with that of the employer within a radius of 5k.m during period of employment and for at least three years after termination of this employment.

Dress code:

All employees are asked to dress modestly. Female employees must wear a headscarf and a jilbab during working hours.

Personal data:

For the purposes of administration, it is necessary for the employer to hold and process personal data on its employees. The data will be held for the duration of your employment or for any longer period to enable the employer to answer any question relating to you as an employee.

Every care is taken to ensure that this personal data is held in confidence and secrecy. You have the right to inspect, review and, if necessary, update your personal details on an annual basis. Normally you will be able to inspect your file within one working day of this request.

If personal circumstances do change at any time, the School manager needs to be informed. This will ensure that the information remains accurate.

This policy has been read and approved for Date Valley School, by the School Principal and the Date Valley Trust Policy Committee.

Date: January 2014