Out of School Club

Staff Disciplinary Procedure

Cool Kids Zone aims to have a team of well-motivated, highly skilled and professional staff. However, should the behaviour or performance of a member of staff fall below the high standards that we expect we will follow the procedure set out below.

Staff will not be dismissed for a first breach of discipline except in the case of gross misconduct.

Staff have the right to appeal at all stages of the procedure and this will be confirmed within the warning or dismissal letter. The member of staff will have the opportunity to ask questions and answer allegations, and has the right to be accompanied by a colleague or union representative to disciplinary meetings.

Minor offences

The manager will try to resolve the matter by informal discussions with the member of staff. If this does not resolve the problem, the formal disciplinary procedure will be followed.

Formal disciplinary procedure

The stages of the formal disciplinary procedure are:

1. Formal verbal warning
2. First written warning
3. Second written warning
4. Dismissal

Disciplinary meetings

For each stage of the procedure the manager will hold a disciplinary meeting with the member of staff to explore the misconduct or performance issue, and, if still applicable following the discussion at the meeting, will then issue the appropriate type of warning (or dismissal notice).

Before the meeting

Before each disciplinary meeting the manager will write to inform the member of staff of the date and purpose of the meeting, of the specific disciplinary issue to be discussed, and of their right to be accompanied by a colleague or union representative.

After the meeting

Following each disciplinary meeting the manager will write to the member of staff to confirm:

- that a verbal, first written or final written warning has been issued (depending on the stage of the disciplinary process)
- what the warning was for
- what improvement in conduct or performance is expected and within what timescale
- the consequences of further misconduct or lack of performance
- how long the warning will be kept on file
- how they can appeal against the decision.

Keeping notes of warnings

Notes of warnings will be kept in the staff member's personnel file as follows:

- **Formal verbal warning**: A note of the warning will be kept on file, but will be disregarded after six months if their performance or conduct is satisfactory.
- **First written warning**: A copy of the warning will be kept on file, but will be disregarded after 12 months if their performance or conduct is satisfactory.
- **Final written warning**: A copy of the final written warning will be kept on file, but will be disregarded after 24 months if the performance or conduct of the member of staff remains satisfactory.

Dismissal

If, during the period of the final written warning, there is a further breach of Club rules, or if the member of staff's performance has still not improved, dismissal will normally result. The organisation of the final disciplinary meeting at which this decision is made is the same as described above for the earlier disciplinary meetings.

Immediately after the final disciplinary meeting the manager will write to the member of staff to confirm:

- that at the disciplinary meeting it was decided that their conduct/performance was still unsatisfactory and that they will be dismissed
- why they are being dismissed
- when their last day of service will be
- how they can appeal against the decision.

If the decision was taken not to dismiss the member of staff, this must also be confirmed in writing.

Gross misconduct

Staff will be dismissed without notice if they are found to have committed an act of gross misconduct. Examples of gross misconduct include:

- Child abuse
- Failing to comply with health and safety requirements
- Physical violence
- Ignoring a direct instruction given by the manager
- Persistent bullying, sexual or racial harassment
- Being unfit for work through alcohol or illegal drug use
- Theft, fraud or falsification of documents
- Being disqualified under the terms of the Statutory Framework for the Early Years Foundation Stage (Section 75 of the Childcare Act 2006) or the Children's Act 1989.

The manager will investigate the alleged incident thoroughly before any decision to dismiss is made.

Referral to Disclosure and Barring Service

If a member of staff is dismissed (or would have been dismissed if they had not left the setting first) because they have harmed a child or put a child at risk of harm, we will make a referral to the Disclosure and Barring Service.

Notification to Ofsted

The Club will notify Ofsted if a member of staff becomes disqualified, or if any significant event occurs which is likely to affect their suitability.

Appeals

A member of staff wishing to appeal against a disciplinary decision must do so in writing, stating the grounds for the appeal, and within five working days of being informed of the decision. A meeting to hear the appeal will be set up no more than ten working days later. The member of staff has the right to be accompanied to the appeal hearing.

Where possible a senior member of staff who was not involved in the original disciplinary action, will hear the appeal and make an impartial and final decision. Within ten working days of the appeal hearing, the manager will inform the member of staff in writing of the outcome of the appeal hearing.

This policy was adopted by: Cool Kids Zone	Date: May 2025
To be reviewed: May 2026	Signed:

Written in accordance with the *Statutory Framework for the Early Years Foundation Stage (2024): Safeguarding and Welfare Requirements: Suitable people [3.10 - 3.16] and Disqualification [3.17-3.21] and Staff qualifications, training, support and skills [3.24 and 3.27], Supervision of staff [3.28 and 3.29]*