

9 PROCEDURE: DISCIPLINE AND DISMISSAL

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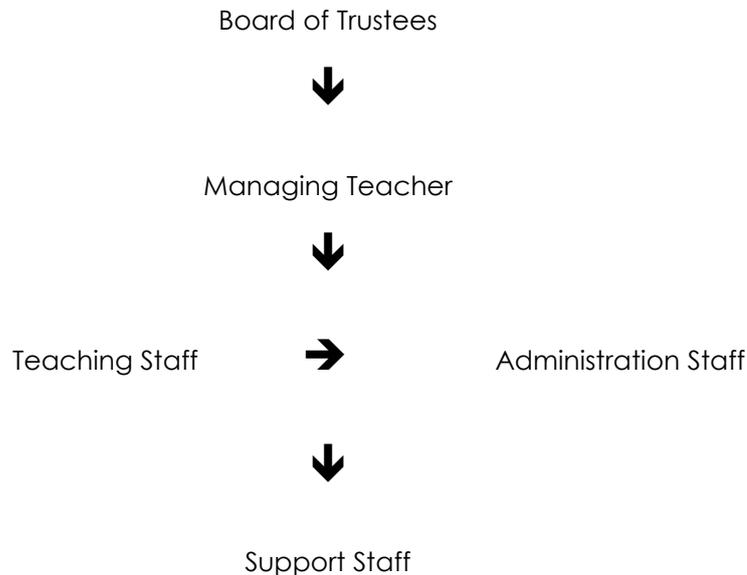
To define a formal procedure for disciplining or dismissing employees.

9.1 Guidelines

Details of discipline and dismissal procedures are outlined in the Individual Employment Agreements. Any activity on the part of staff, which may give rise to a disciplinary procedure, should be reported the Managing Teacher. The Managing Teacher will liaise with the Board of Trustees to determine whether a disciplinary procedure needs to be followed.

Cases of serious misconduct (see Individual Employment Agreements) may result in instant dismissal.

Organisational Chart



9.1 Disciplinary Procedures

Where an employer has a complaint(s) regarding an employee's conduct of duties, treatment of a child or any other matter except competency, the employer shall:

- 9.1.1 Investigate forthwith the facts of the complaint(s), including discussing the complaint(s) with the employee concerned;
- 9.1.2 Immediately advise the employee in writing of the particulars of the complaint(s);
- 9.1.3 Advise the employee in writing that the disciplinary procedure in the agreement is being followed.

9.2 After allowing reasonable time for the situation to be resolved, where the employer has reason to believe there have been further instances of the complaint(s), the employer shall:

- 9.2.1 advise the employee in writing of the particulars of the repeated incident:
 - 9.2.2 allow the employee sufficient time to contact a union representative to discuss the allegations made.
 - 9.2.3 meet with the employee and a union representative to discuss the complaints(s) and give proper consideration to the employee's side of the story and / or any explanation made
 - 9.2.4 advise the employee that her/ his employment is at risk, if appropriate.
- 9.3 After and within a reasonable period, where the employer has reason to believe there have been further instances of the complaint(s), the employee shall be liable to dismissal.
- 9.4 Should there be a period of six to twelve months (depending on severity) or more between or after warnings, a further complain against an employee shall be deemed to be her/his first offence under the disciplinary procedure.

9.5 Suspension

- 9.5.1 If an allegation is deem sufficiently serious an employee may be either suspended with or without pay, or transferred temporarily to other duties.
- 9.5.2 The employer shall not suspend an employee without first allowing the employee a reasonable opportunity to make submissions about the allegations and whether suspension is appropriate. However, where the employer is satisfied the welfare and safety of any child or another employee warrants it, immediate suspension may occur.
- 9.5.3 The employer shall use its best endeavours to ensure that the period of suspension is kept to the minimum possible time consistent with ensuring that the allegations are properly investigated.
- 9.5.4 If the allegations that led to suspension is without substance the employee shall be reinstated effective from the date of suspension.

9.6 Instant Dismissal

Nothing in this clause prevents dismissal without notice in the case of serious misconduct.

Reference: Human Rights Act 1993 & EEO Trust Manual 1999