



Employee/caregivers Disciplinary Policy

Creative Kids Early Learning Centre will strive to maintain a well-motivated, highly skilled and professional Employee/caregivers team. However, occasionally action will need to be taken to encourage improvement in individual behaviour and performance.

- If an Employee/caregiver is subject to disciplinary action, fair and consistent procedures will be employed. This policy will also work alongside the CKELC procedure. Investigations will be non-discriminatory and apply equally to all Employee/caregivers irrespective of sex, marital status, sexual preference, race or disability.
- Employee/caregivers will be given the opportunity to state their case, and be accompanied by a colleague or a representative of their choice, during any part of the disciplinary process.
- Employee/caregivers will not be dismissed for a first breach of discipline except in the case of gross misconduct (see below).
- The Manager of CKELC will conduct investigations after taking advice from the Management.
- Employee/caregivers have a right to appeal against any disciplinary action taken against them.
- The Employee/caregivers Disciplinary Procedure operates as follows:

Informal Discussion

Before taking formal disciplinary action, the Manager will make every effort to resolve the matter by informal discussions with parties concerned. If a satisfactory outcome or improvements are not reached, disciplinary procedures will be formally implemented.

Formal Verbal Warning

The Manager will give a formal warning to the Employee/caregiver. The Manager will notify and explain the reason for the warning. The Employee/caregiver will further be informed of their right of appeal. A brief note of the warning will be kept on the Employee/caregivers records. After six months it will be disregarded (subject to satisfactory conduct and/or performance).

Written Warning

If, following a formal verbal warning, there is insufficient improvement in standards, or if a further incident occurs, a written warning will be issued. This will state the reason for the warning and that, if there is no satisfactory resolution after a further month, a final written warning will be given. A copy of this first written warning will be kept on record, but may be disregarded after 12 months, subject to satisfactory conduct and/or performance.

Final Written Warning

If the employee conduct or performance remains consistently unsatisfactory, or if the misconduct is sufficiently serious, a final written warning will be given making it clear that any further breach of the standards, or other serious misconduct, may result in the employee's dismissal.

A copy of the warning will be kept in the CKELC's Employee records, but may be disregarded after 24 months, subject to satisfactory conduct and/or performance. The warning will state clearly that dismissal will result from a failure to comply.

In certain exceptional circumstances, an Employee/caregiver may receive a Final Written Warning that will remain on the CKELC's records indefinitely. This course of action will follow when an Employee/caregiver has only avoided dismissal due to extenuating or mitigating circumstances.

Gross Misconduct

If, after investigation, it is deemed that an Employee/caregiver has committed an act of the following nature, dismissal will be the normal outcome:

- Child abuse (for further details refer to the CKELC Child Protection policy).
- Serious infringement of health and safety rules (for further details refer to the CKELC Health and Safety policy).
- Assaulting another person.
- Persistent bullying, sexual or racial harassment.
- Being unfit for work through alcohol or illegal drug use.
- Gross negligence that either causes or might cause injury, loss or damage to persons or property.
- Theft, fraud or deliberate falsification of the CKELC documents.
- Deliberate damage to CKELC property.
- Being an unfit to work person under the terms stipulated by the UAE Federal Labour Law.

While the alleged incident of gross misconduct is being investigated, the individual concerned is likely to be suspended, during which time normal pay levels will prevail. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible. Any decision to dismiss will be taken only after a full investigation.

If the Employee/caregiver member has been found to have committed an act of gross misconduct, they will be dismissed without notice.

Appeals

- Employee/caregivers wishing to appeal against a disciplinary decision must do so in writing to the Manager of CKELC as appropriate and within 15 working days of the decision being communicated.
- Appeals will be dealt with as quickly as possible and within at least 15 days. If possible, somebody will be appointed who was not involved in the original disciplinary action to hear the appeal and impartially adjudicate the case.
- At all stages of the procedure, the right to appeal will be confirmed as part of the warning, suspension or dismissal letter.

(Policy reviewed Jan 2019.)