

## **STAFF DISCIPLINARY AND GRIEVANCE POLICIES**

### **1. Purpose Aims & objectives**

Our Society strives to maintain good relationships with and between staff, trustees and other volunteers and we hope to resolve most issues without recourse to formal grievance, disciplinary or other procedures. We nevertheless recognise the need for formal processes and this document sets out the circumstances and procedural steps involved. Our aim is to ensure that concerns are quickly investigated, and appropriate action taken to remedy them.

Grievances raised, and disciplinary situations encountered will generally be unrelated, but a grievance may give rise to a disciplinary situation for an employee and disciplinary action may give rise to a grievance complaint. For these reasons we have included procedures for both Disciplinary Matters and Grievances in one document.

The disciplinary procedures apply only to staff. Whilst grievance procedures are similarly applicable to staff, the managerial duties and roles undertaken by some trustees and volunteers are such that all may raise grievances through this process.

The procedures do not form part of our employment contracts and may be amended at any time. We may also vary them, including any time limits, as appropriate to any particular case.

### **2. Grievances**

#### **Dealing with grievances informally**

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with the person who acts as your line manager. Ideally you may be able to agree a solution informally between you.

#### **Formal grievance**

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your line manager. You should stick to the facts and avoid language that is insulting or abusive. Where your grievance is against your manager (or a Trustee) and you feel unable to approach him or her you should talk to a Trustee who you feel that you can approach. S/he will take advice and let you know the Trustee designated to hear the grievance.

#### **Grievance hearing**

Your manager (or the designated Trustee) will call you to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting, you will be given a decision in writing, normally on the next working day.

If it is necessary to gather further information before making a decision, we will inform you of the likely timescale involved.

#### **Appeal**

If you are unhappy with the decision and wish to appeal you should let your manager (or the designated Trustee) know. You will then be invited to an appeal meeting, normally within five days, and your appeal will be heard by a more senior person within our Society. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting, the person hearing the appeal will give you a decision, normally within 24 hours. Their decision will be final.

Details & records of the grievance and its investigation will be kept confidential by the Society.

### **3. Disciplinary Procedures.**

#### **Purpose and scope**

Our aim is to encourage improvement in individual conduct or performance and this procedure sets out the action which will be taken when disciplinary rules are breached.

#### **Principles**

- A. We will establish the facts as quickly as possible and deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- B. At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting. They may be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- C. An employee has the right to appeal against any disciplinary penalty.

#### **The Procedure**

##### **Stage 1 – first warning**

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 3 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation, it may be justifiable to move directly to a final written warning.)

##### **Stage 2 – final written warning**

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given. This will include the reason for the warning and a note that if no improvement results within 1 months, action at Stage 3 will be taken.

##### **Stage 3 – dismissal or action short of dismissal**

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

#### **Gross misconduct**

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- theft
- damage to property
- fraud
- incapacity for work due to being under the influence of alcohol or illegal drugs
- physical violence
- bullying and gross insubordination

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

## **Appeals**

An employee who wishes to appeal against any disciplinary decision must do so to the Chair of our Society within five working days. A Trustee will be appointed to hear the appeal and decide the case impartially.

### **4. Changes since last version of this Policy**

Originally introduced in June 2018, this version has been significantly altered and simplified for 2020