



DISCIPLINARY PROCEDURES

The purpose of the disciplinary procedure is to ensure that any concerns over employees' or volunteers' conduct or performance are handled in a fair, consistent and timely manner with the intention of bringing about an improvement, and to protect the proper operation of The Percival Guildhouse's business and the health and safety of all employees, tutors, stewards, volunteers and trustees.

A disciplinary procedure may be instigated by the Centre Manager but will be conducted by the Chair of the Board of Trustees with two trustees to provide a panel of three people to ensure an impartial hearing.

The disciplinary procedure relates primarily to employees. Disciplinary procedures pertaining to volunteers will not be regulated by employment law.

This procedure may be reviewed and updated from time-to-time. Any amendments will be communicated to all policy holders of The Percival Guildhouse (PGH).

Disciplinary matters will be handled with as high a degree of confidentiality as is practicable, particularly when the issue is of a sensitive nature.

Confidential records of disciplinary matters will be kept in the employee's personnel file in accordance with Data Protection legislation. Copies of meeting notes will be provided to the employee, although PGH reserves the right to withhold certain information (e.g. to protect a witness).

PGH reserves the right to suspend an employee from work on full pay, normally for no more than five working days, or to request a volunteer not to attend while a disciplinary offence is investigated.

Formal Disciplinary Procedure

A careful investigation of any alleged offence will be conducted before disciplinary action is taken.

If the Centre Manager or Chair of the Board of Trustees concludes that there are reasonable grounds to believe that an act of misconduct may have been committed, the person alleged to be responsible will be asked to attend a disciplinary hearing. Disciplinary hearings will usually be undertaken only where informal approaches have failed to produce a satisfactory improvement.

In the event of a disciplinary hearing, PGH will:-

- give a minimum of 48 hours' advance notice of the meeting in writing, making it clear that the meeting is being held under the PGH formal disciplinary procedure and detailing the alleged misconduct;
- remind the person in question of the right to be accompanied at the meeting by a work colleague or friend;
- give the employee, at the meeting, a full explanation of the case against them;
- give the employee, at the meeting, every opportunity to challenge allegations against them, state the case and put forward an explanation of conduct and any mitigating factors;
- take all relevant factors into account before reaching decisions about any disciplinary action;
- confirm the outcome of the disciplinary hearing in writing within five working days, specifying the reason for any disciplinary action, the standards of conduct or work performance expected, details of any objectives and timescales agreed, the consequence of failing to achieve acceptable improvements. The person in question will also be informed that the outcome will remain on file for 12 months after which the warning will be disregarded for disciplinary purposes;
- remind the employee of the right to appeal against any disciplinary action;
- maintain appropriate records on the employee's personal file.

The stages of the formal disciplinary procedure shall be as follows:- Stage 1 -

- ▶ formal verbal warning
- ▶ Stage 2 - first written warning
- ▶ Stage 3 - final written warning
- ▶ Stage 4 - dismissal (or other penalty)

Disciplinary Procedure

If a member of staff, tutor, steward, volunteer or Trustee behaves inappropriately, a disciplinary procedure may be instigated. This procedure may also be invoked if a complaint cannot be satisfactorily concluded.

Verbal Warning

The person involved will usually receive a verbal warning. They will receive a written record of this warning and a copy of the letter will be placed in the personal file. It will remain on file for one year from its date of issue.

First Written Warning

If the issue remains or if a new issue arises, the person involved will in most cases, or depending on the severity of the issue, receive a written warning. A copy of this written warning will be placed in the personal file. The record will remain in the file for one year from its date of issue.

Final Written Warning

In the third instance, or depending on the severity of the issue, the person involved will receive a final written warning. A copy of this written warning will be placed in the personal file. The record will remain in the file for one year from its date of issue.

Termination of work / activity

If a fourth disciplinary action is needed, or the nature of the issue for which they are being disciplined is very serious, they will be subject to summary dismissal or be required to leave their voluntary role.

Depending on the severity or seriousness of the issue, the Grievance and Disciplinary panel may decide to move straight to the Written Warning, Final Written Warning or terminate the volunteering / employment.

Appeal

Appealing against a Disciplinary Decision for employees

Employees have the right to appeal against any formal disciplinary action. An appeal should be made in writing within five working days. An appeal meeting will be arranged and the outcome confirmed in writing within five working days of the meeting. Decisions made at this stage will be final. Where possible, the appeal will be handled by the Chair of the Board of Trustees with two different Trustee members from those involved in the disciplinary hearing. However, where this is not practicable, the same Trustees may handle both the disciplinary and the appeal meetings and they will act as impartially as possible.

Appealing against a Disciplinary Decision for Volunteers

If the volunteer disagrees with the disciplinary decision made by the panel, they may appeal the decision. Any intention to appeal a decision must be made in writing within two weeks of notification of the decision. The volunteer should appeal in writing detailing their reasons for appealing the decision. The panel will then meet again within two weeks of the appeal and will make a decision. The volunteer will be notified as soon as a decision has been reached.