

# The Village Hall

MILBORNE ST ANDREW

Registered Charity No: 301153



## Disciplinary Policy

**This policy has been adopted by the Milborne St Andrew Village Hall through the Board of Trustees who remain responsible for its review.**

### Aims

To provide guidance when disciplinary measures need to be taken

### Objectives

1. To inform the process when disciplinary measure have to be taken
2. To outline steps be followed and recorded when necessary
3. To set out time scales of the procedure

### Statement of Intent

This procedure does not form part of your contract, but sets out the employer's current disciplinary practice.

Disciplinary matters cover non-performance or inadequate performance of duties, breaches of contract, and other misconduct affecting your work or the organisation. The procedure is intended and designed to improve performance or conduct and resolve difficulties, rather than to punish infringements.

### Key principles:

- The procedure is designed to establish the facts quickly and deal with disciplinary issues in a consistent way.
- Matters will be fully investigated before any disciplinary action is taken.
- At every stage of the procedure you will have the opportunity to state your case and to be accompanied by a colleague from work, a friend or a Union representative.
- Prior to the disciplinary interview you will be informed in writing of the nature of the alleged offence or problem, the nature of the evidence, the range of possible outcomes and reminded of your right to be accompanied.
- If at any stage disciplinary action is taken, the reason for the action will be given in writing and will include the reason for the action, the improvement required, and when the situation will be reviewed. It will also indicate if there is inadequate improvement or a repeat of the offence, what action will follow.
- You will be told how long the record of disciplinary action will remain on your file
- You have the right to appeal after any written disciplinary action. The appeal procedure is given below.
- Milborne St Andrew Village Hall is a Charitable organisation and therefore our disciplinary and appeals procedure is the process we adhere to. Commissioner's or Funders' disciplinary and complaints procedures do not apply in these situations.
- The minimum three-step statutory procedure will be followed if an employee faces

MAKING A DIFFERENCE

dismissal. i.e. a verbal warning, a written warning and final written warning.

## **PROCEDURE**

### **Written statement**

Before the meeting you will be given a written statement explaining what you have done, the consequence of these actions and evidence believed to support the disciplinary procedure. This will allow you time to prepare a response.

### **The meeting**

This must be face-to-face. Timing and location must be reasonable for both parties. Where there are a number of related disciplinary matters ongoing, one meeting can deal with them all.

### **Verbal warning**

If, after an investigation and an interview with you, your conduct or performance is found to be unsatisfactory, your line manager may give you a formal verbal warning. A written record will be kept of the discussion, what improvements are required and within what timescale and when the situation will be reviewed. Both parties will sign the record. You will be given a copy of this record and one will be kept in your personal file. This will be disregarded for disciplinary purposes after 6 months if the disciplinary matter has been successfully addressed and resolved.

### **Written warning**

If an investigation and interview with you by your line manager about a disciplinary matter indicates that it is too serious to be dealt with through a verbal warning, you may receive a written warning as your first warning.

You may also receive a written warning if a review, after a verbal warning, shows that there has been inadequate improvement in your conduct or work performance.

A written warning will include the reason for the warning, the actions required within a given timescale, when the situation will be reviewed, the appeals procedure and both parties will sign the record. You will be given a copy of this record and one placed on your personal file. This will be disregarded for disciplinary purposes after 12 months if the matter has been successfully addressed and resolved.

### **Final written warning**

A final written warning may be given by your line manager if an initial offence is very serious, or if conduct or performance remains unsatisfactory when reviewed after a verbal or written warning. The warning will make it very clear that any further recurrence of the conduct or work performance will or may result in dismissal.

A final written warning will include the reason for the final warning, the actions required within a given timescale, when the situation will be reviewed, the appeals procedure and both parties will sign the record. You will be given a copy of this record and one placed on your personal file. This will be disregarded for disciplinary purposes after 12 months. Any extension of the length will be notified in writing to all parties concerned.

### **Dismissal**

Dismissal may apply for the following reasons:-

- Gross misconduct
- If the employee has received a final warning for misconduct or unsatisfactory performance and there is no improvement.
- Redundancy
- Some other substantial reason
- Non renewal of limited term (fixed term) contract

# The Village Hall

MILBORNE ST ANDREW



Registered Charity No: 301153

- When a medical report has indicated that you are no longer able to fulfil the role that you were employed to do and that there are no suitable alternative roles

## **Gross misconduct**

Gross misconduct includes any action, which threatens the organisation, its work or reputation, people connected with the organisation or members of the public, or which destroys the employer's relationship of trust with you. Examples include:

- Theft
- Damage to the organisation's property
- Fraud
- Physical assault or threatening behaviour to colleagues, clients or members of the general public

This list is not exhaustive and other actions may also constitute gross misconduct.

In the case of misconduct or serious breach of the Ethical Framework the member of staff may be suspended whilst an investigation takes place.

If after investigation, it is found that you have committed an act of gross misconduct, a hearing will be held and the normal consequence will be dismissal without notice and without pay in lieu of notice. A nominated person outside of the organisation may undertake the investigation if this is felt more appropriate. If you have been proved to have breached the guidelines you may be reported to the relevant organisation.

## **Appeal**

You are entitled to appeal after each stage of the disciplinary procedure, other than the verbal warning stage. To do so you must notify your line manager in writing, within 10 working days, although this can be delayed if a good reason is provided, of receiving the written warning, that you wish to appeal, specifying the issues you wish to appeal or contest.

A panel consisting of three members of the Board of Trustees appointed by the Chair, who have not previously been involved with the procedure, will be formed to hear your appeal

A meeting of the panel will usually be convened within 10 working days from receipt of your letter. You will be given seven days' notice of when and where the meeting will be held. You are entitled to be accompanied by a colleague from work or a friend.

You will usually be given the decision of the meeting in writing within 10 working days working days. The decision is final.

Written October 2016

Reviewed September 2020

MAKING A DIFFERENCE