

Disciplinary policy for staff

This policy is for staff that we employ.

This policy is not for:

- freelance workers
- volunteers
- members

General information

We have rules and policies.

All staff members must follow the rules and policies.

All staff members must do their job properly.

This policy says what will happen if:

- a staff member breaks the rules.

This is called **misconduct**

- a staff member does not do their job properly,
through no fault of their own.

This is called **lack of competence**

We will treat all staff fairly.

We will not discriminate against anyone.

We will:

- find out the full facts quickly
- be fair
- try to help the staff member to do their job properly
- have an appeals process.

1 Informal

If the person is not doing their job properly, the line manager will:

- talk with the staff member
- keep a note about the talk
- Develop a plan to help the staff member to improve their performance.

The manager will take the formal approach if:

- the informal approach does not make things improve
- the unsatisfactory performance is serious
- it is a case of misconduct (the staff member has not followed the rules).

2 Formal approach

The Chief Executive will decide if a formal approach is to be taken.

We will use this if:

- the person does not start doing their job properly
- the person is doing a very bad job
- the person broke the rules

Step 1

- Write to the staff member saying what the problem is
- Invite the staff member to a meeting to discuss it
- Say who will be at the meeting
- Tell the staff member they can bring a supporter, a colleague or trade union representative to the meeting with them

We will send the letter at least 1 week before the meeting

Step 2

- Hold the meeting
- Make notes about what is said at the meeting
- Decide what to do
- Write to the staff member saying what we have decided to do
- Tell the staff member how to appeal

These are the decisions we can make:

- **no action**

We will do this if the complaint is false, or cannot be proved, or if it is very minor.

- **informal counselling**

We will make suggestions about how the staff member can improve, but this will not count as formal disciplinary action.

We will do this if the complaint is not serious, and if the member of staff has shown a positive attitude and a desire to improve.

- **verbal warning**

We will do this if we think the complaint is true, but it is not very serious.

We will tell the staff member what they must do to improve.

The warning will be put in their personnel file.

The warning will be taken out of their personnel file after 6 months if they improve.

The Chief Executive will decide if a verbal warning is to be given.

- **written warning**

We will do this if

- the staff member does not improve after a verbal warning **or**
- the complaint is serious

We will tell the staff member what they must do to improve.

The warning will be put in their personnel file.

The warning will be taken out of their personnel file after 12 months if they improve.

The Chief Executive will decide if a written warning is to be given.

- **final written warning**

We will do this if

- the staff member does not improve after a written warning
- the complaint is very serious

We will tell the staff member what they must do to improve.

The warning will be put in their personnel file.

The warning will be taken out of their personnel file after 24 months if they improve.

The Chief Executive will decide if a final written warning is to be given.

- **dismissal with notice**

We will decide this if

- the staff member does not improve after a final written warning
- the complaint is extremely serious

The letter to the staff member will say

- the date when they are dismissed.
- that they will be paid for the notice period in their contract

The Board of Directors will decide if a staff member is to be dismissed with notice.

- **dismissal without notice**

We will only decide this if the staff member has done something illegal, or something that seriously harms our organisation.

If the staff member has done something illegal, we will tell the police.

The Board of Directors will decide if a staff member will be dismissed without notice.

For staff members who have been employed for under two years, we may not give as many warnings before a dismissal, and we may not always follow the above process exactly. However, we will always try to act fairly.

3 Appeal

The staff member must tell us if they want to appeal. They must explain why they think the original decision was unfair.

The staff member must appeal **in writing**.

The staff member must say that they are appealing within 5 working days of getting the letter from the disciplinary meeting.

We will invite the staff member to an appeals meeting.

The appeal will be heard as soon as possible.

We will make sure the appeal is dealt with by a senior person who was not at the disciplinary meeting.

The Board of Directors will make the appeal decision.

The Co-Chairs will write to the staff member to tell them the appeal decision.

Discrimination

If the staff member feels that we have discriminated against them illegally, they can apply to go to an employment tribunal.

Keeping written records

We will keep written records.

We will keep the records confidential.

We advise that the staff member also keeps a written record.

DBS Checks & Criminal convictions

You may be asked to complete a Disclosure and Barring Service (DBS) check, depending on your role. Lying about criminal convictions could be a disciplinary offence.