

Burgh After School Club



Disciplinary and Grievance Procedure

Disciplinary procedure

1. Purpose and scope

- BASC aims to encourage improvement in individual conduct or performance.
- This procedure sets out the action which will be taken when disciplinary rules are breached.

2. Principles

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues.
- No disciplinary action will be taken until the matter has been fully investigated.
- 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 and be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- An employee has the right to appeal against any disciplinary penalty.

3. The Procedure

Stage 1 – first warning

- If conduct or performance is unsatisfactory, the employee will be given a written warning which will set out the nature of the misconduct and the change in behaviour required.
- Alternatively they may receive a performance note which will set out the performance problem, the improvement that is required, the timescale and any help that may be given or is recommended.
- In both cases the employee will be informed of the right of appeal.
- The individual will be advised that this constitutes the first stage of the formal procedure.
- Such warnings will be recorded, but disregarded after 6 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.

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- Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the BASC 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 which will include the reason for the warning and a note that if no improvement results within the agreed time period, action at Stage 3 will be taken.
- A copy of this written warning will be kept by the Club Manager/Management Committee but will be disregarded for disciplinary purposes after 9 months subject to achieving and sustaining satisfactory conduct or performance.

Stage 3 – dismissal or action short of dismissal

- If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension.
- Dismissal decisions can only be taken jointly by the BASC Manager and Management Committee and the employee will be provided in writing with reasons for dismissal the date on which the employment will terminate and the right of appeal.

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 or fraud
- Damage to property
- Incapacity for work due to being under the influence of alcohol or illegal drugs
- A serious breach of health and safety or child protection rules
- Physical violence or bullying
- Unlawful discrimination or harassment
- Causing loss, damage or injury through serious negligence
- Gross insubordination
- Bringing the BASC organisation into serious disrepute
- A serious breach of confidentiality

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.

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If the organisation is satisfied that gross misconduct has occurred, the result will normally be dismissal without notice or payment in lieu of notice.

Appeals

- An employee who wishes to appeal against any disciplinary decision must do so to the BASC Manager and Management Committee within five working days.
- The employer will hear the appeal and decide the case as impartially as possible.

Grievance procedure

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 your manager. You may be able to agree a solution informally between you.
- The BASC Management Committee can also be approached if required.

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 manager/the BASC Management Committee.
- You should stick to the facts and avoid language that is insulting or abusive.
- Where your grievance is against your manager and you feel unable to approach him or her you should talk to one of the BASC Management Committee.

Grievance hearing

- Your manager/Management committee 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 the manager/Committee Members will give you a decision in writing, normally within 24 hours.

Appeal

- If you are unhappy with your manager/Management Committee's decision and you wish to appeal you should let your manager know.
- You will be invited to an appeal meeting, normally within five days, and your appeal will be heard by the most senior manager/more Committee Members.
- You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

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- After the meeting the manager (or chairperson of the Management Committee) will give you a decision, normally within 24 hours. The manager/Management Committee's decision is final.