



Disciplinary Procedure

Play Inclusion Project firmly believes that the fairest way to resolve any problems relating to conduct or performance is to have a well-structured disciplinary procedure. The procedure is designed to help and encourage all employees to achieve and maintain the Company's standards of conduct, attendance and performance and should be looked upon as a corrective process.

As an organisation we will not be biased against individual characteristics and beliefs and we will ensure that these factors do not have an impact on the disciplinary process. Examples of such individual characteristics and beliefs include those related to age, disability, gender reassignment, marriage and civil partnership, maternity, pregnancy, race, religion or belief, sex and sexual orientation.

It is important that if there are any reasons that could be impacting upon your performance or conduct at work, then the charity is made aware of this at the earliest opportunity. These could be personal issues or issues relating to health. If a situation arises where the disciplinary process is appropriate, we will ensure that all individuals will be treated fairly and will not be discriminated against because of their individual characteristics.

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Principles

Apart from an informal verbal warning, employees have the following rights in relation to disciplinary action:

- to be informed of the allegations of misconduct or poor performance to be addressed at any disciplinary hearing,
- to be accompanied by a work colleague or by an accredited trade union official,
- to appeal against any disciplinary action

Disciplinary Procedure

Step 1 - Formal verbal warning

In the case of conduct, attendance or performance not reaching the required standard, the problem will be discussed with employees at a disciplinary hearing where they will be given the opportunity to offer a satisfactory explanation. If the explanation is unsatisfactory, they will be issued with a formal verbal warning. The topics discussed at the meeting will be confirmed in writing and the verbal warning will remain on file for six months.

Step 2 - Written warning

Reviewed July 2023
By Joanne Barnes

A written warning will be issued following a disciplinary hearing where there is a current formal verbal warning on an employee's file and sufficient improvement has not been made or where the misconduct or poor performance is serious enough to warrant the charity bypassing the formal verbal warning stage. A written warning will remain on file for 12 months.

Final written warning

If there is still insufficient improvement in conduct, or if performance is still unsatisfactory, employees will be asked to attend a further disciplinary hearing. If no satisfactory explanation is offered for the lack of improvement, the employee will be issued with a final written warning that will remain on file for 12 months.

If the misconduct is sufficiently serious to warrant only one warning but is not sufficiently serious to justify dismissal, a final written warning will be issued. Employees will be informed in your final written warning that any further misconduct or failure to meet the required standard will result in dismissal.

Dismissal

Dismissal will normally result if an employee still fails to achieve the standard of conduct or performance required by the charity. Employees will be given every opportunity to offer an explanation for their failure to meet the required standards at a final disciplinary hearing.

As with all previous stages of the disciplinary procedure employees will be offered the right to be accompanied and the right to appeal against the decision.

Upon dismissed, employees will be provided, as soon as is reasonably practicable, with the reasons for dismissal, the date on which employment will terminate and details of how they may appeal.

In exceptional circumstances, the charity reserves the right, as an alternative to dismissal, to impose a penalty of suspension without pay for up to a maximum of five working days, together with a final written warning that will remain on file for 12 months.

General

Employees will always be given as much information as possible regarding the allegations of misconduct, or any documentation detailing the shortfall in performance or capability that will form the basis of the disciplinary hearing. They will also be given fair and reasonable notice of the date and time of the hearing and whenever possible the disciplinary hearing will be held during normal working hours.

Any disciplinary action will only be taken after a full investigation of the facts, and if it is necessary to suspend the employee for this period of time, they will receive their normal rate of pay.

The charity reserves the right to vary the disciplinary procedure dependent on either the seriousness of the allegations of misconduct or capability to be addressed, or if the employee only has a short amount of service. It also reserves the right to call on a third party to assist with the disciplinary process.

Conduct at work

The charity expects all employees to behave in a normal and reasonable manner. The following list provides examples of the type of conduct that the charity would expect:

- To be punctual for the start of work and to keep within the break times.
- To give regular attendance at work and to minimise all absenteeism.
- To be courteous, helpful and polite to all those with whom you have contact.
- To devote all your time and attention, whilst at work, to the charity and ensure that all its property including confidential information, records, equipment, information technology, etc., is kept safe and used correctly.
- To comply with all rules and regulations and to observe and perform all the terms of employment as set out or referred to in the Contract of Employment.
- Not to be involved with any company, client or agent who is in direct competition with the charity.
- Employees are expected to devote all their loyalty to the charity.

Conduct outside working hours

Normally the charity has no jurisdiction over employee activity outside working hours. Behaviour outside working hours will only become an issue if the activities adversely affect the charity. Adverse publicity, bringing Play Inclusion Project's name into disrepute, or actions that result in loss of faith in the charity, resulting in loss of business, or loss of faith in the integrity of the individual, will result in the disciplinary procedure being instigated.

The detriment suffered by the charity will determine the level of misconduct and it will also determine which disciplinary stage is most appropriate to suit the circumstances. If the actions cause extreme embarrassment or serious damage to the charity's reputation or image, a decision may be taken to terminate the employment.

The procedures covering disciplinary hearings and appeals still apply.

Gross misconduct

Gross misconduct will result in summary dismissal, which means employees lose their right to notice or pay in lieu of notice.

Here is a list of offences that are normally regarded as "gross misconduct". It is not exhaustive, but it describes the kind of offence that can result in summary dismissal.

- Deliberate failure to comply with the published rules of the , including those covering safeguarding, cash handling, security, health and safety, equal opportunities, the Internet, etc.
- Deliberate falsification of records.
- The committing of offences against current discrimination legislation whilst acting on behalf of the charity.
- Fighting or assaulting another person.
- Using threatening or offensive language towards service users, visitors or other employees.
- Making yourself unfit to work by solvent abuse, drinking alcohol, taking of illegal substances or failing to follow medical instructions on prescribed drugs.
- Being in unauthorised possession of charity property.
- Being in possession of illegal drugs and substances or alcohol during working hours.
- Obscene behaviour.
- Behaviour likely to bring the charity into disrepute.
- Wilful and deliberate damage to or misuse of charity property.
- Refusal to carry out reasonable duties or instructions.
- Conviction on a criminal charge that is relevant to your employment with the charity.
- The misuse including use for personal gain, of confidential information in the course of working for the charity.
- Undertaking private work on the premises without permission.

Disciplinary appeal procedure

At each stage of the disciplinary procedure, employees will be given the right of appeal. Reasons for an appeal, and why the decision is deemed unfair should be put in writing to The Committee within five days of receiving written confirmation of the disciplinary decision taken.

Employees are entitled to be accompanied at the appeal hearing by a work colleague or by an accredited trade union official.

Although the purpose of the appeal is to review any disciplinary penalty imposed, it cannot increase the disciplinary penalty.

The decision of the person dealing with your appeal is final.

Grievance procedure

A grievance procedure is quite simply a way for all employees to discuss any problems, or air their views on any dissatisfaction that relates to their work. An informal discussion can often resolve matters, but if an employee wishes to raise the grievance formally, it should be done in the following way:

- Formal written grievances should be submitted to the CEO who will make every effort to hear the grievance within five working days

- Employees who are not satisfied with the outcome of the meeting, must tell the person who dealt with the grievance that they wish to take the matter further and intend to appeal against the outcome.
- Formal written appeals should be submitted to the Committee within five days of receiving written confirmation of the grievance decision, including an explanation of why an appeal against the decision is being made.
- Every effort will be made to hear the appeal within five working days and employees may ask a work colleague or an accredited trade union official to be present.
- Although Play Inclusion Project will always be willing to try to resolve grievances as amicably as possible, a decision reached at the appeal stage is final.
- Play Inclusion Project reserves the right to call on a third party to assist in resolving grievances.