

Adastra Hall Hassocks Community Association **charity no. 1201464**

Disciplinary and Grievance Procedure

Disciplinary procedure

1. Purpose and scope

The AHHCA's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached or the employee's standard of work is unacceptable to the HCA.

2. Resolving issues informally

Cases of minor misconduct or unsatisfactory performance are usually best dealt with informally. The AHHCA will use all reasonable efforts to reach an agreement with an employee on an informal basis. A quiet word is often all that may be required to improve an employees conduct or performance. In some cases additional training, coaching and advice may be what is needed. There will, however, be situations where matters are more serious or where an informal approach has been tried but is not working. If informal action does not bring about an improvement, or the misconduct or unsatisfactory performance is considered too serious to be classed as minor, the Chair will provide employees with details of the nature of the concerns about their conduct or performance and provide them with an opportunity to respond before any formal action is taken at a disciplinary meeting.

3. Principles

(a) 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.

(b) At all formal stages of the procedure employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be accompanied, if they wish, by an accredited trade union representative or work colleague. Where this is not practical, they may make a request to be accompanied by another individual. This does not extend to a legally qualified representative.

(c) An employee has the right to appeal against any disciplinary penalty.

4. The Procedure

Stage 1 – first warning

If conduct or performance is unsatisfactory, the employee will be given a first written warning. Such warnings will be confirmed in writing and will be 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. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the Village Hall, 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 a specified period, action at Stage 3 will be taken. The warning will be disregarded for disciplinary purposes after 12 months of satisfactory service.

Stage 3 – dismissal or action short of dismissal If the conduct or performance has failed to improve, the employee may be dismissed.

Gross misconduct

If, after investigation, there is evidence that an employee has committed an offence of the following nature (the list is not exhaustive), the normal outcome will be dismissal without notice or payment in lieu of notice:

- theft or fraud
- deliberate and serious damage to property
- a serious breach of health and safety rules
- physical violence or bullying
- serious misuse of HCA's name or bringing HCA into serious disrepute
- unlawful discrimination or harassment
- a serious breach of confidence
- serious incapability for work due to being under the influence of alcohol or illegal drugs

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 HCA only after full investigation.

Appeals - An employee who wishes to appeal against any disciplinary decision must do so to the Secretary of AHHCA within five working days of receipt of notification of the outcome. An appeal hearing will be arranged as soon as practical. The AHHCA may nominate an independent party to hear an appeal in circumstances where there has been prior involvement of AHHCA members. There is no further right of appeal.

Grievance procedure

Purpose and scope

The AHHCA's aim is to provide employees with a readily accessible procedure for addressing problems or concerns they may have regarding their work, management, or another member of the team.

Dealing with grievances informally

If an employee has a grievance or complaint to do with his or her work or the people he or she works with he or she should, wherever possible, start by talking it over with the Chair of the Management Committee. The Employee may be able to agree a solution informally between him or her and the AHHCA.

Formal grievance

If the matter is serious, remains unresolved and/or the employee wishes to raise the matter formally he or she should set out the grievance in writing to the Chair of the Management Committee. Where his or her grievance is against the Chair and he or she feels unable to approach him or her, he or she should talk to another committee member.

Grievance hearing

The Chair or another Trustee will arrange to meet him or her, normally within five days, to discuss the grievance. He or she has the statutory right to be accompanied by a colleague or accredited trade union representative at this meeting. Where this is not practical, they may make a request to be accompanied by another individual. This does not extend to a legally qualified representative.

After the meeting the Chair will give his or her decision in writing, normally within 5 working days.

Appeal

If the employee is unhappy with the Chair's decision and he or she wishes to appeal he or she should let the President know in writing within 5 working days of receipt of the outcome of the hearing. The appeal should set out the grounds for the appeal. He or she will be invited to an appeal meeting, normally within five working days, and his or her appeal will be heard by the Secretary of the AHHCA. He or she has the right to be accompanied by a colleague or accredited trade union representative at this meeting. Where this is not practical, they may make a request to be accompanied by another individual. This does not extend to a legally qualified representative.

After the meeting the President will give him or her a decision, normally within 5 working days. There is no further right of appeal.