



**REGISTERED NUMBER CIC 11373253**  
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# **Disciplinary & Grievance Policy and Guidance**

Title of Policy: Disciplinary & Grievance

Effective Date: February 2020

Review Date: February 2023

Policy Number: 1

Policy Authorised by: Nicola Williams

## **Introduction**

Allsorts Support Services CIC shall be known as the Organisation throughout.

## **Purpose and Scope**

There are no legally binding duties regarding Grievance. However, the Organisation aims to resolve any disputes as soon as possible and will refer to the Complaints Policies and Procedure where necessary.

The purpose of a disciplinary procedure is to ensure the safe and effective operation of the business and to promote fair treatment of individual employees. The following procedure provides a framework to address any lapses in conduct (or attendance) and encourages individual employees to achieve and maintain an acceptable standard.

This procedure applies to all employees, including volunteers. It does not form part of your terms and conditions of employment.

This policy does not apply to dismissals, where the employment is terminated for a reason unconnected to disciplinary action, such as an event of redundancy, retirement or non renewal of a fixed term contract. If these situations arise, the Organisation will follow a fair and reasonable procedure, which will include consultation with you prior to any dismissal taking effect.

## **Informal Warnings**

Minor breaches of the Organisation's standards may result in an informal warning before being given to you by your Manager. The objective of the warning is to help you to improve your conduct (or attendance) without having to use a formal procedure.

An informal warning is normally given verbally, although a note may be kept in your personnel file of what was discussed and what was agreed. Your Manager will monitor your conduct (or attendance) over an agreed period. If you do not improve satisfactorily, or there are any further breaches of Organisation standards, then the formal disciplinary procedure will be invoked.

## **Investigation**

If it becomes necessary to formally address issues regarding your conduct (or attendance) the matter will first be investigated by an appropriate Manager.

This investigation will be carried out thoroughly and as quickly as possible in all the circumstances. Confidentiality will be maintained, as far as reasonably practicable, during the investigation and throughout the disciplinary process, should this be activated.

Under certain circumstances, including but not limited to harassment, bullying, theft, breach of contract and violence, the Company may decide to suspend you while the matter is being investigated. This is not a disciplinary sanction, but a way of ensuring that a full review of the circumstances can take place as effectively as possible.

## **Criminal Charges**

Where your conduct is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action. We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where you are unable or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.

A criminal investigation, charge or conviction relating to conduct outside of work may be treated as a disciplinary matter if we consider that it is relevant to your employment.

## **Disciplinary Meeting**

If, after an investigation has been carried out, it is considered that there is a case to answer, you will be notified in writing of the nature of the complaint against you. You will be provided with details of any supporting evidence which may be available and will be invited to attend a disciplinary meeting. You will be advised that disciplinary action may be taken as a result of this meeting and of your statutory right to be accompanied at this meeting by a colleague or a representative. You should take reasonable steps to attend this meeting. If you are persistently unable or unwilling to attend, the Organisation reserves the right to proceed in your absence.

This meeting will be conducted by your Manager. The Organisation may also have someone present at the meeting to take notes.

At this meeting the nature of the alleged breach of Organisation standards will be made clear to you and you will be given the opportunity to state your case and call any relevant witnesses. If any additional issues arise during this meeting, an adjournment may take place to allow further investigation.

During the disciplinary process or appeal, you will be provided with copies of any notes, witness statements or interview transcripts that the Organisation considers to be relevant as soon as they become available.

## **Right to be Accompanied**

You may bring a companion to any disciplinary hearing or appeal hearing under this procedure. The companion may be a representative or a colleague. You must tell the Manager who your chosen companion is, at least 24 hours before the hearing.

The companion is allowed reasonable time off from duties but no-one is obliged to act as a companion if they do not wish to do so. If your companion is unavailable at the time of the meeting is scheduled and will not be available for more than five working days afterwards we may ask that you choose someone else.

## **Disciplinary Action**

If, at the conclusion of the disciplinary meeting, or shortly thereafter, it is decided that there has been a breach of standards, formal disciplinary action will be taken.

If you are issued with a warning, you will be informed of the period for which the warning will remain in place. A copy of the written warning will be kept on your personnel file. If your conduct (or attendance) has reached an acceptable level after the specified period, the warning can be disregarded for disciplinary purposes, but will be kept on your personnel file.

Examples of Grievance and Disciplinary acts (but not limited to):

- Disclosure of confidential information
- Serious breach of health and safety rules
- Serious or repeated negligent acts in the performance of your duties
- Persistent or serious failure to follow reasonable instructions
- Giving false or misleading information to your Manager or anyone else within the Organisation
- Leaving the workplace without permission or reasonable excuse
- Serious disregard for rules or instructions, including policies and procedures
- Unauthorised absence
- Bringing the Organisation into disrepute

## **Procedures to appeal against Grievance, Dismissal or other Disciplinary Action**

Your appeal must be made in writing to your Manager within 5 working days of the decision being communicated to you in writing and you should detail your reason(s) for appealing

against the disciplinary action.

Your appeal will be considered by a Senior Manager,( who when practicable, will not have had any previous involvement with your case), within 5 working days of receiving your appeal. If it is anticipated that the appeal process will take longer than (5) working days from receipt of your appeal you will be informed of this and of the expected timescale.

You will be notified of your statutory right to be accompanied at the appeal meeting by a colleague or a representative. If additional issues or new evidence arise during this meeting, an adjournment may take place to allow for these to be investigated.

After considering your appeal, a decision may be taken to uphold the dismissal or other disciplinary action or to overturn the findings of the disciplinary meeting. You will be informed of the outcome of the appeal and the reasons for the decision in writing, as soon as possible.

The decision which is reached is FINAL.