



# Disciplinary procedure

## Aims of policy

Triangle Adventure Playground (TAPG) is committed to treating all staff fairly and equitably and to helping employees to perform effectively. The aim of this policy is to assist TAPG management committee to help and encourage all employees to maintain high standards of conduct, performance, attendance and behaviour. Conduct and behaviour expectations are detailed in the TAPG Code of Conduct, which all staff and volunteers should be familiar with. Should an occasion arise when it is necessary to invoke disciplinary procedures, the employee will be given the opportunity to improve throughout the stages of the procedure.

## Overview

When work falls below an acceptable standard, help will be given to the employee to improve. If standards of work continue to fall and there is a necessity for action, it will automatically begin with a pre-disciplinary informal discussion. Similarly, when an employee's behaviour is not consistent with TAPG Code of Conduct and is potentially inappropriate, disrespectful or unacceptable, it will mean the initiation of a pre-disciplinary informal discussion or the disciplinary procedure, depending on the severity.

If disciplinary action should become necessary, each case will be treated consistently and fairly, and the disciplinary procedure will be observed at all steps. The employee will be given the opportunity to provide their version of events and any extenuating circumstances will be considered. An employee's rights will be upheld at all times, and employees will have the right to:

- know the case against him/her
- reply
- due consideration of their case
- be accompanied by another member of staff, trade union representative who is certified or trained as a companion, or an official employed by a trade union
- appeal

### 1. Informal pre-disciplinary discussion

Where appropriate, prior to using the formal aspects of TAPG's disciplinary procedure, a pre-disciplinary discussion will be held with the employee.

Minor misconduct, poor performance or minor breaches of rules will normally result in an informal warning being given by the Vice Chair. This will not be recorded in writing. If that approach is not successful, TAPG is likely to escalate it to the formal disciplinary procedure.

## 2.1 Investigation

Prior to taking the decision to invoke the disciplinary procedure, Triangle Adventure Playground will ensure that a thorough investigation is carried out. This is a fact-finding process and may necessitate the gathering of detailed information as well as the carrying out of formal interviews, taking of written statements, etc.

A proper investigation is an integral part of the process and, where an allegation of gross misconduct is involved, may require employees to be suspended on contractual pay whilst this is carried out. Suspension on pay is not considered to be a sanction taken under the disciplinary procedure. It is there to ensure that issues are dealt with in a fair and reasonable manner, and adequate protection is given to all employees.

## 2.2 The disciplinary procedure

This procedure will be used in cases of a breach of TAPG rules, Code of Conduct or poor performance that have not been remedied by an informal warning. Normally, the procedure will follow the steps listed below, although it is acceptable to move directly to steps two or three if a case is sufficiently serious.

From the first formal step of the disciplinary procedure the TAPG General Manager will be present in conjunction with the vice chair. Employees have the option to have a work colleague or trade union representative present. You should tell us as soon as possible if you would like a companion and who they will be so we can make arrangements in good time. If you need any reasonable adjustments, for example for a disability, speak to the vice chair.

At each step in the procedure a disciplinary meeting will be held where all the facts will be considered and any mitigating circumstances discussed. Where a warning is issued a copy will be placed on the employee's personnel file for a period of three months. All warnings issued under this procedure will state clearly that the employee will be liable for further disciplinary action should their performance not improve or should there be a further breach of TAPG rules. In the event of no further misconduct occurring and the performance improving, the warning will be removed and the employee's file will be clear. The employee will also be advised of their right to appeal against the decision to take disciplinary action. The steps in the disciplinary procedure are as follows:

### 2.2.1 First written warning (step one)

A first written warning will be applied where the matters of concern are substantiated. A record of the first written warning will be given to the employee and a copy will be retained on the personnel file for three months unless there is repetition within this period.

### 2.2.2 Final written warning (step two)

A final written warning will be applied where the matters of concern are substantiated. A record of the final written warning will be given to the employee and a copy will be retained on the personnel file for six months unless there is repetition within this period. The employee will be informed that further misconduct within the specified period may result in their dismissal.

### 2.2.3 Dismissal or action short of dismissal (step three)

An employee will be dismissed if they have failed to improve during the previous steps. In the event of a gross misconduct allegation, TAPG may enter the process at step three and dismissal for first offence may occur. Dismissal decisions can only be taken by the management committee. You will be provided in writing with the:

- reasons for dismissal

- date your employment will end
- confirmation of all final payments you are owed, including holiday pay and notice pay
- right of appeal

Alternatively to dismissal, TAPG may decide that suspension, transfer or demotion are appropriate sanctions. We might consider suspending you while carrying out a disciplinary investigation if there's a serious issue or situation. Suspension is when we tell you to temporarily stop working. You would be on full pay throughout any suspension period.

We will consider each situation carefully before deciding to suspend you. Suspension will not be needed for most investigations. Suspension does not mean you have done anything wrong and will not be used to discipline you. We understand being suspended might be stressful so we will:

- only suspend you if there's no other option
- support you throughout the suspension period

### 3. Gross Misconduct

The following offences will be viewed by TAPG as gross misconduct:

- theft or fraud
- physical violence
- bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- serious insubordination
- discrimination, harassment or victimisation
- bringing the organisation into serious disrepute
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence

This list of examples is not exhaustive or exclusive, and offences of a similar nature will be dealt with under this procedure. Gross misconduct will result in the initiation or escalation of TAPG disciplinary procedure, and may result in immediate dismissal without notice or pay in lieu of notice.

### 4. Appeals

At every step, the employee has the right to appeal in writing. In all cases of dismissal or demotion, TAPG Chair will be considered as the final arbiter. If you wish to appeal you should do so in writing within ten

working days of the decision. TAPG management committee will hear all appeals and their decision will be final.

### 5. Third Parties

We reserve the right to engage an independent third party to assist at any stage of the disciplinary procedure.

