



South Brent Old School Community Centre Disciplinary Procedure

Whilst the charity does not wish to impose unreasonable rules of conduct on its employees, certain standards of behaviour are necessary to maintain good employment relations and discipline in the interest of all employees. The charity prefers that discipline be voluntary and self-imposed and in the great majority of cases this is how it works. However, from time to time, it may be necessary for the charity to take action towards individuals whose level of behaviour or performance is unacceptable.

This disciplinary procedure is entirely non-contractual and does not form part of any employee's contract of employment.

Minor issues will be dealt with informally through supervision and training. However, in cases where informal discussion with the employee does not lead to an improvement in conduct or performance, or where the matter is considered to be too serious to be classed as minor, (for example, unauthorised absences, persistent poor timekeeping, sub-standard work performance, etc.) the following disciplinary procedure will be used. At all formal stages of the procedure, an investigation will be carried out.

The charity will notify the employee in writing of the allegations against him or her and will invite the employee to a disciplinary hearing to discuss the matter. The charity will provide sufficient information about the alleged misconduct or poor performance and its possible consequences to enable the employee to prepare to answer the case. This will include the provision of copies of written evidence, including witness statements, where appropriate.

Having given the employee reasonable time to prepare their case, a formal disciplinary hearing will then take place, conducted by a manager or trustee, at which the employee will be given the chance to state his or her case, accompanied if requested by a trade union official, a trade union representative or another person of his or her choice. The employee must make every effort to attend the hearing. At the hearing, the employee will be allowed to set out their case and answer any allegations and will also be given a reasonable opportunity to ask questions, present evidence, call relevant witnesses and raise points about any information provided by witnesses.

Please note that it is prohibited for employees to record (whether covertly or otherwise) the proceedings at the disciplinary hearing, and at any appeal hearing, without the express permission of the charity. If the charity discovers that an employee has done this covertly, he or she could be subject to further disciplinary action.

Following the hearing, the charity will decide whether or not disciplinary action is justified and, if so, the employee will be informed in writing of the charity's decision in accordance with the stages set out below and notified of his or her right to appeal against that decision. It should be noted that an employee's behaviour is not looked at in isolation, but each incident of misconduct is regarded cumulatively with any previous occurrences.

Stage 1: Written warning

The employee will be given a formal written warning. He or she will be advised of the reason for the warning, how they need to improve their conduct or performance and the timescale over which the improvement is to be achieved. They will also be informed that the warning is the first stage of the formal disciplinary procedure and the likely consequences if the terms of the warning are not complied with. The written warning will be recorded and remain on the employee's file but will be disregarded for future disciplinary purposes (i.e., will be inactive) after six months, subject to satisfactory conduct and performance.

Stage 2: Final written warning

Failure to improve performance in response to the procedure so far, a repeat of misconduct for which a warning has previously been issued, or a first instance of serious misconduct or serious poor performance, will result in a final written warning being issued. This will set out the nature of the misconduct or poor performance, how the employee needs to improve their conduct or performance, the timescale over which the improvement is to be achieved and will warn that dismissal will probably result if the terms of the warning are not complied with. This final written warning will be recorded and remain on the employee's file but will be disregarded for future disciplinary purposes (i.e., will be inactive) after twelve months, subject to satisfactory conduct and performance. However, the charity reserves the right to issue a final written warning that remains active for a maximum of two years in cases of very serious misconduct or where the employee has a history of misconduct issues.

Stage 3: Dismissal

Failure to meet the requirements set out in the final written warning will normally lead to dismissal with appropriate notice. A decision of this kind will only be made after the fullest possible investigation. Dismissal can be authorised only by the chair of trustees following a resolution by the board of trustees. The employee will be informed of the reasons for dismissal, the appropriate period of notice, the date on which his or her employment will terminate and how the employee can appeal against the dismissal decision.

Gross misconduct

Offences under this heading are so serious that an employee who commits them will normally be summarily dismissed. In such cases, the charity reserves the right to dismiss without notice of termination or payment in lieu of notice. Examples of gross misconduct include:

- Any breach of the criminal law, such as theft.
- Any unauthorised possession or removal of charity products or property, or property belonging to another employee, client, customer or visitor.
- Fraud (including making fraudulent or false expense claims), deliberate falsification of records, false declarations in connection with employment or applications for employment or any other form of dishonesty.
- Using the charity's property, materials or equipment to carry out work for third parties on a personal basis without permission.
- Misuse of charity benefits, such as improper use of staff discount card.
- Offering, promising or giving a bribe or requesting, agreeing to receive or accepting a bribe or bribing a public official in connection with employment.
- Wilfully or negligently causing harm or injury to another employee, volunteer, service user or visitor, physical violence, assault, fighting, bullying or grossly offensive, abusive or aggressive behaviour or language.

- Deliberately or negligently causing damage to the charity's property, or to property belonging to another employee, volunteer, service user or visitor.
- Vandalism of, or otherwise intentionally interfering with, the charity's computers or computer or telephone network.
- Serious carelessness or gross negligence that causes loss, damage or injury.
- Dereliction of duty, including sleeping whilst at work and undertaking unauthorised activities during normal working hours.
- Wilful refusal to obey a reasonable management instruction, or serious insubordination.
- Serious incapacity at work through an excess of alcohol or illegal drugs, whether consumed on or off charity premises but which affects the employee's ability to carry out their job duties whilst at work.
- Bringing illegal drugs or other illegal substances or items or weapons on to charity premises.
- Smoking or vaping on charity premises, other than in designated outside smoking areas.
- Logging onto sexually explicit websites, downloading or circulating pornographic or other offensive, illegal or obscene material or using the internet or email for gambling, illegal activities or the sending of offensive emails to work colleagues (in the latter case, including from the employee's home computer in their own time).
- Engaging in sexual activity on charity premises at any time.
- Posting derogatory, offensive, discriminatory or defamatory comments online (for example, on social media websites) about the charity, its employees, volunteers or users or otherwise conducting themselves online in a way that is detrimental to the charity or brings the charity into serious disrepute.
- A serious breach of health and safety rules, including acts or omission which endanger the safety of another employee, volunteer, service user or visitor.
- A serious breach of security rules.
- Discriminating against, harassing, bullying or victimising an employee, volunteer, service user or visitor because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex and/or sexual orientation.
- A serious breach of confidentiality, including unauthorised access of computer and personnel records and communicating confidential information about the charity or its employees, volunteers, service users or visitors to third parties.
- Working for any other organisation/employer without permission during hours contracted to be working for the charity.
- Engaging in an unauthorised activity which conflicts with the interests of the charity or its volunteers or customers.
- Breaching copyright or any other proprietary interest belonging to the charity.
- Knowingly breaking a legal requirement in connection with employment.
- Bringing the charity into serious disrepute, even if done in the employee's own time.
- Unauthorised absence, including failure to return from a period of annual leave or other approved leave of absence.

The above is intended as a guide and is not an exhaustive list.

Suspension

In the event of serious or gross misconduct, an employee may be suspended while a full investigation is carried out. Such suspension will be on full basic pay. Suspension may occur only after very careful consideration of the circumstances and where an alternative to suspension is unavailable. The rationale of why suspension is considered appropriate

will be explained to the employee in writing. Suspension does not imply guilt or blame, and will be for as short a period as possible and necessary.

Appeals

An employee may appeal any disciplinary decision, including dismissal, to a nominated trustee or the chair of trustees within five working days of the decision. Appeals should be made in writing and state the grounds for appeal. The employee will be invited to attend an appeal hearing chaired by a trustee.

At the appeal hearing, the employee will again be given the chance to state his or her case and will have the right to be accompanied by a trade union official, a trade union representative or another person of his or her choice.

Following the appeal hearing, the employee will be informed in writing of the results of the hearing. The charity's decision on an appeal will be final.

Data Protection and Confidentiality

When processing information in connection with any investigation or subsequent stages of a disciplinary procedure the charity will process any personal data in accordance with its data protection policy and any internal privacy notices in force at the relevant time. Inappropriate access or disclosure of this data will constitute a data breach and should be reported immediately to the charity's data protection officer in accordance with the charity's data protection policy. All employees must treat as confidential any information communicated to them in connection with a disciplinary investigation or disciplinary matter. Any data breach or breach of confidentiality may also lead to an investigation and potential sanctions under the charity's disciplinary procedure.

Policy Review / Update Procedure

This Version Approved by Trustees:	July 2025
Next Review Due: This document should be reviewed every three years or: <ul style="list-style-type: none">● following any changes in relevant legislation or regulations, or;● when any incident has occurred or feedback reported relating to this policy.	July 2028
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Person(s) responsible for updating	Rik Meek, Sheila Alexander and Michelle Parton