

Disciplinary Procedure

Reviewed by Trustees 21/11/16



1. Purpose and scope

CCF's aim is to support improvement in individual conduct and performance. This procedure sets out the action which will be taken when disciplinary rules are breached or where the required standards of performance are not reached.

2. Principles

- a) The application of this procedure will be consistent, prompt, impartial, reasonable, and applied without discrimination.
- b) Information relating to an allegation of misconduct should not be divulged to any parties not involved. Statements, letters and other communications will be strictly confidential to those involved in the disciplinary procedure.
- c) 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 properly investigated.
- d) At every stage employees and volunteers will have the opportunity to state their case and be represented or accompanied, if they wish, at the hearings by a trade union representative, work colleague or another agreed appropriate person.
- e) An employee or volunteer has the right to appeal against any disciplinary penalty.

3. The Procedure

Stage 1 – first warning/performance improvement note

If conduct or performance is unsatisfactory, the employee/volunteer will be given a written warning or performance improvement note. Such warnings will be recorded, but disregarded after 6 months of satisfactory service. The employee/volunteer 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 CCF or individuals, 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 stated period, action at Stage 3 will be taken.

Such warnings will be recorded, but disregarded 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/volunteer may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

If an employee/volunteer faces dismissal – or action short of dismissal such as loss of pay or demotion – the minimum statutory procedure will be followed. This involves:

- a written note to the employee/volunteer setting out the allegation and the basis for it
- a meeting to consider and discuss the allegation
- a right of appeal including an appeal meeting

The employee/volunteer will be reminded of their right to be accompanied.

Gross misconduct

If, after investigation, it is confirmed that an employee/volunteer has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- theft or fraud.
- willful damage to property
- incapacity for work due to alcohol or illegal drugs
- physical violence, bullying
- gross negligence or insubordination

While the alleged gross misconduct is being investigated, the employee/volunteer 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 employer only after full investigation.

Appeals

An employee/volunteer who wishes to appeal against any disciplinary decision must do so to a CCF Trustee who is not directly involved within five working days. They will hear the appeal and decide the case as impartially as possible. Employees/volunteers will be informed in writing of the results of the appeal hearing without unreasonable delay.