

The Wallingford Sports Trust

Policies and procedures

22. Disciplinary procedure

1. Purpose of the procedure/Introduction

The Trust's aim is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when the Trust's rules or policies and procedures are broken and provides a fair, effective and consistent method of dealing with disciplinary matters.

2. Principles

- Employees are expected to know the standard of conduct and of work expected of them. If they are unsure, they should ask.
- If a disciplinary concern has been raised and a meeting is required then employees will be provided with details of the allegations and any evidence in support of this prior to the meeting and they will be given the opportunity to state their case.
- An employee is entitled to be accompanied at the meeting by a work colleague or other appropriate supporting individual.
- No employee will be dismissed for a first breach of discipline, except in cases of gross misconduct.
- Employees have the right to appeal against any disciplinary action taken.

3. Informal discussions

Before taking formal disciplinary action, the Chairman or Sports Park Manager (as appropriate) will make every effort to resolve the matter by informal discussion with the employee. Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

4. First or formal verbal warning

In the case of minor misconduct offences the employee will be given a formal oral warning. He/she will be advised that the warning constitutes the first formal stage of the disciplinary procedure and that a note will be placed on their personal file. The nature of the offence and the likely consequences of further offences or a failure to improve will be explained. In the event that the supervisor is unable, for whatever reason, to give a warning orally, the warning will be given in writing. In such circumstances, the warning is nevertheless to be regarded as the first formal stage of the disciplinary procedure. Such warnings will be recorded but disregarded after six months of satisfactory service, providing there have been no subsequent disciplinary issues.

The Wallingford Sports Trust

Policies and procedures

5. Written warning

If the conduct is regarded as more serious or the employee's work or conduct is considered unsatisfactory after they have received a formal verbal warning, a disciplinary meeting may be called.

After a period of 9 months, if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

6. Final written warning

If the employee's work or conduct fails to improve, or where the allegation is particularly serious, the manager will follow the same procedure for a written warning. If proven, a final warning, will be given to the employee warning that any further misconduct will result in a dismissal with appropriate notice. Employees will be paid for this notice period.

After a period of 12 months, if not further disciplinary action has been found necessary and the issue has been resolved, the warning will expire.

7. Gross misconduct

An employee can be dismissed without notice on grounds of gross misconduct. The employee will be suspended with pay while the circumstances of the alleged incident are investigated.

A dismissal must be confirmed in writing within 10 working days of the date of the disciplinary interview.

Where a member of staff is dismissed from the organisation or internally disciplined because of misconduct relating to a child, the Trust will inform the Department for Children, Schools and Families, the Charity Commission, other relevant agencies and follow Local Safeguarding Children's Board guidelines.

8. The right to appeal

If the employee wishes to appeal against any disciplinary decision, they must appeal, in writing, within five working days of being notified of the decision.

9. Examples of misconduct and gross misconduct

Examples of misconduct and gross misconduct can be found in Annex 1 and Annex 2 respectively, below.

The Wallingford Sports Trust

Policies and procedures

10. Principles

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- No employee will be dismissed for a first breach of discipline, except in cases of gross misconduct.
- Employees have the right to appeal against any disciplinary action taken.

11. Informal discussions

Before taking formal disciplinary action, the Chairman or Sports Park Manager (as appropriate) will make every effort to resolve the matter by informal discussion with the employee. Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

12. First or formal verbal warning

In the case of minor misconduct offences the employee will be given a formal oral warning. He/she will be advised that the warning constitutes the first formal stage of the disciplinary procedure and that a note will be placed on their personal file. The nature of the offence and the likely consequences of further offences or a failure to improve will be explained. In the event that the supervisor is unable, for whatever reason, to give a warning orally, the warning will be given in writing. In such circumstances, the warning is nevertheless to be regarded as the first formal stage of the disciplinary procedure. Such warnings will be recorded but disregarded after six months of satisfactory service, providing there have been no subsequent disciplinary issues.

13. Written warning

If the conduct is regarded as more serious or the employee's work or conduct are considered unsatisfactory after they have received a formal verbal warning, a disciplinary meeting may be called.

After a period of a year, if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

The Wallingford Sports Trust

Policies and procedures

Annex 1. Examples of misconduct.

- Unauthorised absence from work;
- Poor time keeping
- Unacceptable performance;
- Inappropriate standard of dress;
- Smoking in a banned area;
- Time wasting;
- Contravention of minor safety regulations;
- Disruptive behaviour;
- Unauthorised use of telephone, email, internet, motor vehicle and other facilities;
- Failure to carry out duties adequately;
- Breach of policies and procedures;
- Failure to observe reasonable standards of behaviour.

The Wallingford Sports Trust

Policies and procedures

Annex 2. Examples of Gross Misconduct

If an employee is suspected of gross misconduct they will be suspended immediately pending investigation. If gross misconduct is confirmed, they will be instantly dismissed.

- Theft or fraud;
- Incapacity for work due to being under the influence of alcohol or non-medically prescribed drugs;
- Physical or sexual or racial assault or harassment (either whilst at work or outside work hours);
- Verbal abuse ;
- Threatening behaviour;
- Gross insubordination;
- Breach of confidentiality;
- Deliberately or knowingly endangering anyone's safety;
- Persistent unreasonable lateness;
- Conviction for any serious criminal offence.