

# Central England Area Quaker Meeting (CEAQM)

## Disciplinary Procedure

### 1. Purpose and scope

The aim of the charity's rules is to maintain an acceptable standard of conduct and performance by employees. This procedure sets out the action which will be taken when disciplinary rules are breached.

### 2. Procedure

- a) This procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues.
- b) If an allegation of misconduct is made, the matter has been fully investigated as soon as reasonably possible
- c) The employee will be informed of what is alleged in writing, and that an investigation is being carried out
- d) As soon as reasonably possible after the investigation has concluded, the employee will have the opportunity to state their case at a disciplinary hearing meeting and be represented or accompanied, if they wish, by a trade union representative or a work colleague.
- e) The employee has the right to appeal against any disciplinary penalty.
- f) Any disciplinary procedure instigated will be treated on a confidential basis.

### 3. Outcomes

The following outcomes may result from a disciplinary hearing

#### *Misconduct*

##### Stage 1 – first warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 12 months of satisfactory service. The employee 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 the organisation, 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 number of months, action at Stage 3 will be taken.

##### Stage 3 – dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion,

disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

#### *Gross misconduct*

If, at the disciplinary hearing it is confirmed that an employee has committed an offence of gross misconduct, i.e. is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between the employee and the charity, the charity will be entitled to terminate summarily the employee's contract of employment without notice or pay in lieu of notice.

Examples of acts that may amount to gross misconduct include (this is a non-exhaustive list):

- Theft from the charity, visitors to the organisation, or the public;
- other offences of dishonesty;
- falsification of records, reports, accounts, expense claims or self-certification forms, whether or not for personal gain;
- deliberate and/or serious damage to or misuse of the organisation's property;
- drunkenness or being under the influence of illegal drugs while at work;
- any serious breach of the charity's rules;
- conduct that brings the organisation's name into disrepute; and
- discrimination or harassment of a fellow worker or other colleague on the grounds of sex, sexual orientation, race, disability, age or religion or belief.

While any alleged misconduct is being investigated, an employee may be suspended, during which time he or she will be paid their normal pay rate. Suspension is not a disciplinary sanction and does not constitute an assumption of guilt.

### 4. Appeals

An employee who wishes to appeal against any disciplinary decision must do so in writing, setting out reasons why they are appealing, to the named person in the organisation, normally the clerk of the meeting or the responsible committee. This should be done within five working days of the outcome of the disciplinary hearing being received by the employee. The employer will hear the appeal and decide the case as impartially as possible.

After the appeal meeting the employee will receive a decision, normally within 24 hours. If the employee continues to be dissatisfied, they have a right of further appeal to the CEAQM Employment Committee, whose decision is final.