



Disciplinary and Grievance Policy and Procedure

Disciplinary Policy

Age Concern Petersfield & District wishes to ensure high standards from its employees. The Disciplinary Policy enables us to take appropriate action against an employee where their conduct is unsatisfactory. However, we abide by a number of principles to ensure that any employee subjected to disciplinary action receives consistent and fair treatment.

Principles

Any complaint made against an employee will be fully investigated and no formal disciplinary action will be taken until the employee has been informed of the nature of the complaint and given the opportunity to make representations at a disciplinary meeting.

The employee will, at all times, have the right to be accompanied by a work colleague or trade union representative of their choice at any disciplinary or appeal meeting.

Whilst we will make all reasonable efforts to ensure that an employee is present at any disciplinary meeting, in case of absence exceeding seven days then we may hold the meeting in the employee's absence, in which case the employee may make written representations.

Wherever possible, Age Concern Petersfield & District will use its best endeavours to keep all details relating to any disciplinary investigation or procedure confidential.

Procedure

This procedure is based on the ACAS Code of Practice on Disciplinary and Grievance Procedures.

Informal Action

Where possible any breach of conduct will be dealt with at an informal level. The employee will be made aware of the breach or offence committed, informed how to correct it and to ensure it does not happen again.

If there is a repeated breach or such a serious breach that further informal action is not appropriate, the next stage of the process is formal action.

The Line Manager will deal with minor problems but if the matter is more serious the following procedure will be used:

Stage 1: Written Warning

If a serious disciplinary matter occurs, or if there has been a failure to improve following informal action, the employee will be given a formal written warning. The written warning will give details of the complaint, the improvement required from the employee and the period in which it has to be achieved. It will also warn that a final written warning may be issued if there is no satisfactory improvement within the required period and will advise of the right to appeal. A note of the warning will be kept on file but will be considered “spent” for disciplinary purposes after 12 months, unless otherwise specified.

Stage 2: Final Written Warning

If there is insufficient improvement following a written warning or if there is misconduct that is serious enough, a final written warning may be given to the employee. This will give details of the complaint and will warn that dismissal, or some other action short of dismissal, may result if there is no satisfactory improvement or there is any further disciplinary issue within a particular period. It will also advise of the right to appeal. A note of the warning will be kept on file but will normally be considered “spent” for disciplinary purposes after a period of 12 months unless otherwise specified.

Stage 3: Dismissal

If the employee fails to meet the standards required, or if there is gross misconduct, dismissal will normally result. A decision to dismiss can only be taken by the Chair of the Trustees. As an alternative to dismissal, and at our discretion, Age Concern Petersfield & District may demote the employee (which may result in a reduction in pay), or transfer the employee to another position which may result in a reduction of pay. If dismissal, demotion or any other action short of dismissal is being considered, the employee will be given a written statement prior to the formal disciplinary meeting setting out the reasons for the proposed course of action. The issues will be fully discussed at the meeting and the employee will be informed in writing of the outcome.

If the employee is dismissed, they will be provided with written reasons for dismissal, the date their employment terminated and details of any notice pay to which they are entitled. They will also be informed of their right to appeal.

If the employee is demoted, they will be entitled to the salary and other terms and conditions of employment appropriate to the position to which they have been demoted. Employees have a right of appeal against demotion.

Please note that Age Concern Petersfield & District reserves the right to enter this procedure at any Stage if the misconduct warrants such action.

Gross Misconduct

The following is a non-exhaustive list of examples that are normally regarded as gross misconduct:

- theft, fraud or deliberate falsification of records
- physical violence including fighting and assault on another person

- deliberate damage to Age Concern Petersfield & District property or property belonging to any employee
- incapability through alcohol
- abuse of drugs
- negligence which causes significant loss, damage or injury
- a serious act of insubordination
- serious failure to follow the health and safety rules of Age Concern Petersfield & District
- failure to notify Age Concern Petersfield & District of a serious and immediate danger to health and safety
- serious misuse of computing, telephone or postage facilities
- discrimination, harassment or victimisation related to age, disability, gender identity, religion or belief, sex or sexual orientation
- sexual harassment or sexual misconduct
- disclosure of confidential information
- dishonest use of Age Concern Petersfield & District's property or name
- bringing Age Concern Petersfield & District into disrepute

If gross misconduct is alleged against an employee, Age Concern Petersfield & District may suspend the employee on full pay pending investigation of the matter. The employee will be given a written statement prior to the formal disciplinary meeting, setting out the reasons for the proposed course of action. The issues will be fully discussed at the meeting and the employee will be informed in writing of the outcome. If, following investigation and after a full disciplinary meeting, Age Concern Petersfield & District is satisfied that there has been gross misconduct, the outcome will normally be summary dismissal without notice or payment in lieu of notice.

Appeals

Employees have the right to appeal against any warning, demotion, suspension or disciplinary dismissal within five working days. The Chair of the Trustees will hear all appeals.

The employee will be informed in writing of the date of any appeal and they will be entitled to bring a colleague or a trade union representative with them to the appeal hearing. The Chair may decide the matter at the hearing or adjourn the hearing for further investigation or for further consideration. The employee will be informed of the outcome of any appeal hearing, in writing, as soon as possible and such decision is final.

Grievance Policy

Principles

Age Concern Petersfield & District wishes to ensure that all of its employees are treated fairly. If an employee has problems or concerns about their work, working environment or working relationships, Age Concern Petersfield & District wishes to see these problems resolved before they develop into more serious situations.

Procedure

If employees have any grievance in relation to their employment, they should raise it informally with their Line Manager. If the Line Manager is unable to settle the matter within five working days (subject to Annual Leave) then the following procedure will apply:

Mediation

Unless they choose to opt out, parties will undertake mediation to help resolve grievances at any stage of the grievance procedure, or to rebuild relationships.

Stage 1

The employee should put the grievance in writing and send it to their Line Manager. The Line Manager will arrange a meeting in order to discuss the grievance. The Line Manager will write to the employee with his/her response to the grievance within five working days of the hearing. If the employee is not satisfied that the matter has been resolved, or if the Line Manager fails to deal with the written grievance, then Stage 2 of the procedure will apply.

Stage 2

If an employee feels that their grievance has not been resolved at Stage 1 of the procedure, they should appeal in writing to a Trustee. The Trustee will arrange a formal meeting to hear their appeal. The employee has the right to be accompanied at this meeting by a work colleague or a trade union representative. The meeting will be held within five working days of the Trustee receiving the employee's appeal. The Trustee will write to the employee within five working days of the meeting with his/her response to the appeal. If it is not possible to contact the employee with a response within that time, they will be given an explanation for the delay and will be informed when a response can be expected.

Stage 3 Appeal

If still dissatisfied, an Appeal may be made to the Chair of the Board of Trustees. The decision of the Chair is final.

Note: If the grievance involves an employee's Line Manager, the employee may initiate the Grievance Procedure at Stage 2.

Issues giving rise to a grievance

Age Concern Petersfield & District is aware that there are many issues which give rise to a grievance and it is impossible to give a comprehensive list. However, they might include matters relating to terms and conditions of employment, the health and safety of an employee or of colleagues, working relationships with colleagues or an employee's line manager or an employee's treatment at work.

A wrongdoing is any of the following:

- a criminal offence has been or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with a legal obligation
- a miscarriage of justice has happened, is happening or is likely to happen
- the health and safety of an individual has been, is being or is likely to be damaged
- damage to the environment has occurred, is occurring or is likely to occur, or
- information showing any of the above has been, is being or is likely to be deliberately concealed.

If an employee becomes aware of a wrongdoing at work they should institute Stage 1 of the Grievance Procedure immediately. If an employee believes that a Manager may be involved in the wrongdoing, then they should approach the Chair of Trustees directly.

Confidentiality

Please note that any grievance raised by an employee will be received in absolute confidence and Age Concern Petersfield & District will, as far as possible, keep any details of the complaint confidential save and except where the grievance leads to disciplinary action against another employee of Age Concern Petersfield & District. Age Concern Petersfield & District will promptly investigate and deal with any grievance brought to its attention.

Review

This policy will be reviewed every three years.

Issue	Date approved by Board of Age Concern Petersfield	Reviewed
1	13.9.18	
1	5.9.24	5.9.27