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| <b><i>Policies + Procedures</i></b><br><b><i>Houghton Regis Memorial Hall</i></b> | <b>Policy No: 005</b><br><b>DISCIPLINARY PROCEDURE</b> | Page 1 of 2                  |
| <i>This policy authorised by:</i>                                                 | <b>KEN WATTINGHAM</b>                                  | <i>Date: MAY 2024</i>        |
| <i>Designation:</i>                                                               | <b>CHAIRPERSON</b>                                     | <i>Review Date: MAY 2027</i> |

*This policy is intended to set out the values, principles and policies underpinning the Committee's approach to Disciplinary and Confidentiality procedures. (P003 Confidentiality refers).*

The Committee is committed to providing the best possible working conditions for its staff and Committee members.

### **In the event of a breach in Confidentiality (Misconduct):**

1. Where minor offences are committed such as the disclosure of Confidential information, then the formal disciplinary procedure may be followed:

and

2. Disciplinary action may take place depending on the severity of the problem and the number of occurrences.
  - 2.1. A verbal warning.
  - 2.2. One or more written warnings.
  - 2.3. Final written warning.
  - 2.4. Dismissal from the Committee or work place

### **3. Investigation**

- 3.1. Following any alleged misconduct or breach of confidentiality, an investigation must be carried out to ascertain the facts. This investigation can be carried out by a senior member of the Committee. It is advisable that the person conducting the investigation does not then conduct any disciplinary hearing that may result from that investigation.

### **4. Examples of misconduct**

- 4.1. Distinction between the types of misconduct is not always clear and may depend on
  - the individual's history relating to the Committee
  - the individual's intent and whether the behaviour was deliberate
  - the circumstances of the incident

### **5. The Disciplinary Hearing**

- 5.1. A disciplinary hearing can only take place once a full investigation has been completed.
- 5.2. The hearing must take place in private by the Chairperson and/or Vice Chairperson.
- 5.3. Disciplinary action must always be preceded by a hearing to present the facts to an individual and enable the individual to respond.
- 5.4. An individual will be given, in writing, at least 3 (three) working days' notice of the hearing, to include the date, time and venue for the hearing, and who will be conducting the hearing.
- 5.5. It is advisable for a second person to be present at the hearing for the purposes of taking notes and witnessing the process.
- 5.6. The individual has a right to be accompanied by a colleague not involved directly in the matter.

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- 5.7. The individual should be provided with full details of the allegation(s) and any documentary evidence such as witness statements at least 3 (three) working days before the date of the hearing.
- 5.8. The individual will be given the opportunity to state their case at the hearing.
- 5.9. Written records should be kept of the facts, findings and outcome of the hearing by the person conducting the hearing.
- 5.10. Following any disciplinary hearing the individual will receive in writing confirmation of the outcome of the hearing and where appropriate time scales for improvement.

## 6. Appeals Procedure

- 6.1. Individuals have the right to appeal against any formal disciplinary action (not verbal warnings) by informing the Chairperson in writing within 5 five working days of notification of the disciplinary sanction. This letter must clearly state the grounds for the appeal. The grounds for appeal are where: -
  - 6.1.1. The individual believes that the disciplinary action is disproportionate to the offence
  - 6.1.2. The disciplinary process was not followed properly
  - 6.1.3. New evidence has emerged that was not available at the original hearing.

An appeal against disciplinary action will be heard by the Chairperson. The Chairperson's decision is final.

- 6.2. In the case of dismissals, the appeal will take the form of a **re-hearing**.

This will take place if the individual appeals because-

- they claim that the decision to dismiss was too harsh for the offence committed
  - they claim that the evidence was unreliable
  - they have new evidence
  - they claim that a serious procedural error was made
- 6.3. The Chairperson may decide to uphold the original decision to dismiss based upon the outcome of the review or re-hearing. Where the decision is made to re-instate the individual, this will be effective from the date of dismissal.
  - 6.4. The individual will be informed of the outcome of the appeal within 5 (five) working days.
  - 6.5. Written records should be kept of the facts, findings and outcome of the appeal by the person conducting the appeal.

## 7. Statements to the Media

If a member of the Trustees or Committee are contacted by the Press or Media for an interview/comment, only the Chairperson has the authority to discuss information.