TEESDALE DAY CLUBS
12 DISCIPLINARY AND GRIEVANCE POLICY AND PROCEDURE issue 02

Policy statement

Teesdale Day Clubs (hereafter referred to as 'the charity', 'we', 'us' or 'our') values its staff. We support and encourage good conduct, good job performance, and a safe and effective service delivery.
We aim to deal with all issues of capability or competency fairly and in a way which allows all parties to feel heard, supported and valued.
When required we will use our disciplinary and grievance procedures to ensure that we treat everyone with fairness and transparency, and deal with issues in a timely manner.

Our procedures follow the guidelines from the Arbitration and Conciliation Service (ACAS) code of practice, including any updates after the policy review date, and we will take account of all best practice, legal procedures and advice, and statutory policy and procedures at all times or as required, and especially with regard to employment law, equality and diversity legislation, data protection, and safeguarding.

How we will deal with a disciplinary issue

1. **Purpose and scope**

The charity's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when organisational rules are breached or if a disciplinary issue arises.

2. **Principles**

2.1 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 fully investigated.

2.2 At every stage employees will be informed in writing of what is alleged, and have the opportunity to state their case at disciplinary meetings, and be represented or accompanied, if they wish, by a trade union representative or a work colleague.

2.3 An employee has the right to appeal against any disciplinary penalty.

3. **The procedure**

3.1 Stage 1 – first warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note, usually by their line manager. 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 or harmful effect on the charity, or on any individual within the charity, it may be justifiable to move directly to a final written warning.

3.2 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 result within 3 months, action at stage 3 will be taken.

3.3 Stage 3 – dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, loss of seniority, or dismissal.

3.4 Gross misconduct

If after investigation, it is confirmed that an employee 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, damage to property, fraud, incapacity to work due to being under the influence of alcohol or illegal drugs, physical violence, bullying, abuse or ridicule of a member or volunteer, and gross insubordination.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time they will be paid their normal rate pf pay. Any decision to dismiss will be taken by the employer only after full investigation.

3.5 Appeals

An employee who wishes to appeal against any disciplinary decision must do so through the Strategic Manager (or vice chair if the disciplinary action involves the Strategic Manager) within five (5) working days. The Chair will hear the appeal and decide the case impartially.

How we will deal with a grievance

A grievance is when an employee feels that there has been unfairness or where they wish to raise an issue of discrimination, abuse, bullying, or inequality that relates to themselves, or impacts on them personally, in their job.

The whistle blowing policy and procedure should be used when an employee wishes to raise an issue with the conduct or procedure of the charity as an entity, or one of its employees, trustees or volunteers, in a more general, less personal way, or where conduct is having a negative impact on the charity's reputation, or the people who use the services of the charity (including volunteers).

1. **Dealing with grievances informally**
   If you have a grievance or complaint to do with you work or the people you work with you should, wherever possible, start by talking it over with your line manager or the Strategic Manager. You may be able to agree a solution informally between you.

2. **Formal grievance**
   2.1 If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to the Strategic Manager. You should stick to the facts and avoid language that is insulting or abusive.
   2.2 Where your grievance is against the Strategic Manager, and you feel unable to approach them, you should talk to the Vice-Chair of trustees and put your grievance in writing to them if you wish to make the matter formal.

3. **Grievance hearing**
   3.1 The Strategic Manager will call you to a meeting, normally within five (5) working days of receiving your written grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.
   3.2 After the meeting the Strategic Manager will give you a decision in writing, normally within 24 hours.
   3.3 If it is necessary to gather information before making a decision, the Strategic Manager will inform you of this and the likely timescale involved.

3.4 Where the Vice-Chair is dealing with the matter in place of the Strategic Manager, they will hold the meeting and carry out all other tasks as above in place of the Strategic Manager.

4. Appeal

4.1 If you are unhappy with your manager's decision and you wish to appeal, you should let the Strategic Manager, (or the Vice Chair of trustees if they are dealing with your grievance) know.

4.2 You will be invited to an appeal meeting, normally within five (5) working days, and your appeal will be heard by the Vice Chair of trustees (when the Strategic Manager has been dealing with your grievance) or the Chair of Trustees where the Vice Chair has been dealing with your grievance prior to the appeal.

4.3 You have the right to be accompanied by a colleague or trade union representative at this meeting, if you make a reasonable request.

4.4 After the meeting the Vice Chair (or Chair) will give you a decision, normally within 24 hours. The Vice Chair (or Chair's) decision is final.

This policy and procedure was approved by the Board of Trustees and signed on their behalf by the Chair of Trustees:

Date: 07 May 2026

Review date: May 2029