



Disciplinary and Grievance Policy

Introduction

It is the policy of **FUTURE ROOTS**, registered at Rylands Farm, Boyshill Drove, Holnest, Sherborne DT9 5PS, to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. This procedure applies to all employees and sets out the action which will be taken when rules and procedures are breached. The aim is to ensure consistent and fair treatment for all in the organisation.

Policy statement

Informal action will be considered, where appropriate, to resolve problems.

No disciplinary action will be taken against an employee until the case has been fully investigated. For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting. Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.

At the disciplinary hearing, the employee will have the right to be accompanied by a work colleague. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice. An employee will have the right to appeal against any disciplinary penalty.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

Procedure

Stage 1 – first written 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 for disciplinary purposes after six 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 sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will include the reason for the warning, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by on the employees personnel file but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

Stage 3 – dismissal

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, fraud or act of dishonesty
- deliberate and serious damage to property
- fighting, physical violence or serious abusive behaviour towards people
- incapacity for work due to being under the influence of alcohol or illegal drugs
- forfeiture of drivers' licence
- failure or refusal to obey a reasonable instruction without good reason
- transmitting confidential information outside the organisation
- serious breach of health and safety obligations
- serious breach of organisation's rules, policies and procedures
- serious misuse of computer, email or internet facilities
- bringing the organisation into disrepute

While the alleged gross misconduct is being investigated, the employee may be suspended from work, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so within five working days of receipt of the letter outlining the grounds for the appeal. The appeal hearing will be chaired by a member of the board who was not involved in the original disciplinary hearing. They will review any disciplinary penalty imposed and their decision is final.

Grievances

Dealing with grievances informally

If an employee has a grievance or complaint to do with work or the people they work with, they should, wherever possible, start by talking it over with their line manager. They may be able to agree a solution informally between themselves.

Formal grievance

If the matter is serious and/or they employee wishes to raise the matter formally, they should set out the grievance in writing, as soon as possible, to their line manager. The employee should stick to the facts and avoid language that is insulting or abusive. Where the grievance is against the line manager and the employee feels unable to approach him or her you, they should talk to another member of the board..

Grievance hearing

The manager will call the employee to a meeting, normally within five days, to discuss the grievance. The employee has the right to be accompanied by a colleague at this meeting, if this is reasonable. The manager may decide to adjourn the meeting for any investigation that may be necessary. After the meeting the manager will notify the employee of the decision in writing, without unreasonable delay and, where

appropriate, should set out what action the employer intends to take to resolve the grievance. The employee will be informed that they can appeal if they are not content with the action taken.

Appeal

Where an employee feels that their grievance has not been satisfactorily resolved, they should appeal. They should outline their grounds for appeal without unreasonable delay and in writing.

Employees will be invited to an appeal meeting, normally within five days, and the appeal will be heard by a manager who has not previously been involved in the case, for example, the Chief Executive or Chair of Trustees. Employees have the right to be accompanied by a colleague at this meeting if this is a reasonable request.

The outcome of the appeal meeting should be communicated to the employee in writing without unreasonable delay. The appeal decision is final.

Signed ..

Name: Julie Plumley

Date: 06/01/2017

This policy will be reviewed annually, or as and when there are any changes in the law, procedures or processes within the organisation.