

STAFF DISCIPLINARY POLICY

1. PURPOSE AND SCOPE

Forest Pulse aim to maintain standards of individual performance and conduct. This procedure sets out the action that will be taken when those standards fall below what is reasonably required of you.

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 properly investigated, although suspension can be implemented if this is felt to be a safeguarding necessity.
- 2.2. At every stage you will be advised of the nature of the complaint, and be given the opportunity to state your case.
- 2.3. You will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- 2.4. You have the right to appeal against any disciplinary action taken against you.
- 2.5. The procedure may be implemented at any stage if your alleged misconduct warrants such action.
- 2.6. If you request it, you have the right to be accompanied at a disciplinary hearing by a colleague, friend, family member and/or trade union official.

3. THE PROCEDURE

At all stages of the procedure if the allegation suggests that the worker may have acted in a manner amounting to gross misconduct the charity has the authority to send the worker home suspended on full pay pending an investigation.

3.1 **Stage 1 – Informal Discussions**

Before taking formal disciplinary action, your line manager will make every effort to resolve the matter by informal discussions with you. Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

3.2 **Stage 2 – Written Warning**

If there is insufficient improvement in conduct or performance, or if a further disciplinary offence occurs, the employee will be given a written warning. Such warnings will be recorded, but disregarded after 6 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 within that time. Where the offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation or a member of Forest Pulse, it may be justifiable to move directly to a final written warning. This will be given by the Chair of the Trustee Management Committee or his/her chosen representative.

3.3 Stage 3 – Final Written Warning

If the offence is serious, or there is no improvement in conduct or performance, 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 3 months, action as set out below will be taken.

3.4 Dismissal (with notice)

If there is insufficient improvement after the period notified in Stage 3 you will be dismissed with the appropriate notice, which will state the reasons for the dismissal. This action will be authorised by the full Trustee Management Committee.

If an employee faces dismissal – or action short of dismissal such as loss of pay – the minimum statutory procedure will be followed. This involves:

Step 1: a written note to the employee setting out the allegation and the basis for it

Step 2: a meeting to consider and discuss the allegation

Step 3: a right of appeal including an appeal meeting.

The employee will be reminded of their right to be accompanied.

4. GROSS MISCONDUCT (DISMISSAL WITHOUT NOTICE)

4.1 If, after investigation, it is confirmed that an employee has committed an offence such as is listed in 4.2 (the list is not exhaustive) the normal consequence will be **dismissal without notice**. This will be authorised by the Trustee Management Committee.

4.2 Theft, damage to company property, fraud, or any other act of dishonesty, a serious breach of the Equal Opportunities Policy or of the Safeguarding Policy, incapacity for work due to being under the influence of alcohol or illegal drugs, physical assault, gross insubordination, breach of confidentiality, refusal to comply with management instructions, conduct likely to bring the Forest Pulse into disrepute, any deliberate acts of harassment or bullying. This list is not exhaustive, and there may be other instances where an employee's behaviour will be treated as Gross Misconduct.

5. APPEALS

If you wish to appeal against any disciplinary decision you must do so in writing:-

To the Chair of the Trustee Management Committee, where the appeal is against an oral warning,

To the Trustee Management Committee, where the appeal is against a written warning or dismissal within five working days of the decision being communicated to you. Where the appeal is against a written warning or dismissal, this will be heard by up to 3 members of the Trustee Management Committee who have not been directly involved in the decision which is the subject of the appeal. The decision of the appeal hearing will be final.



Signed on Behalf of the Charity
8th August 2022

Name/Role: Pam Jones, Charity Director