

Grievance and Disciplinary Policy FOR THE VIABLES COMMUNITY ASSOCIATION



STATEMENT OF INTENT

The Viables Community Association, (hereafter VCA or Association), is committed to good quality service to all users, staff and volunteers.

It is the policy of the Association to investigate issues of conduct to ensure these good quality services are maintained.

Please note, this policy does not form part of your contract of employment, and we may amend it at any time.

CODE OF BEHAVIOUR AND DISCIPLINARY PROCEDURE

The VCA expects a high level of good conduct from its members and other users.

Everyone deserves respect and to be able to enjoy peace, friendship, and the facilities of the centre without disturbance.

Members and users are therefore required to refrain from offensive behaviour, offensive language, and loud or unruly behaviour.

Members and users will respect the premises, avoid damage to property and unnecessary mess.

In the event of a complaint or accusation being made against a member or user for contravention of the above standards of behaviour, the following steps will be taken to resolve the dispute:

- The accused person will be suspended from the Centre pending a hearing by the Trustees or a Sub-Committee appointed for such a purpose.
- The secretary will call a meeting of the Trustees or Sub-Committee within 14 days of receiving a complaint.
- Written notice of the alleged offence will be given to the accused person with the time and date of the hearing by the Trustees.
- The accused person will be allowed to have a companion present at the hearing.
 - The companion may address the hearing, confer with the accused person and ask questions but they will not be permitted to answer questions on their behalf.
- The accused person will be allowed to call witnesses to the hearing.

- No member of the Trustees or Sub-Committee party to, or witness of, the alleged incident will take part in the hearing.
- The accused person shall have the right to an appeal to an independent arbitrator, acceptable to both sides of the dispute.
- The decision of the independent arbitrator will be final.

GRIEVANCE AND DISCIPLINARY PROCEDURES FOR MEMBERS OF STAFF AND VOLUNTEERS

GRIEVANCE PROCEDURE

The following procedure will be followed to settle all disputes and grievances other than disciplinary matters:

- a) The aggrieved member of staff or volunteer will first raise the grievance with the Chairperson.
- b) The Chairperson will consider and, if necessary, investigate the matter and will reply to the complainant as soon as possible and within ten working days.
- c) If unresolved, the complainant must submit the grievance in writing to the Chairperson, who will then arrange a meeting which will be attended by the complainant, their representative or colleague, the Chairperson, and a member of the Trustees.
- d) As soon as possible after the meeting and within seven working days, the Chairperson will ensure that the complainant receives a response to their grievance in writing.
- e) If the complainant still feels aggrieved, they may ask the Chairperson in writing to convene a panel made up of VCA Trustees to hear the grievance.
- f) A companion may be present to support the complainant.
- g) The decision of the panel will be final and the VCA Chairperson, or someone delegated by the Chairperson, will communicate the result to the complainant in writing within five working days.

DISCIPLINARY PROCEDURE

The Chairperson will try to resolve any problems of a disciplinary nature informally in the first instance, perhaps through mediation. If this approach is not successful, the following procedure will apply:

STAGE 1 – ORAL WARNING

If conduct or performance is unsatisfactory, the VCA Chairperson (or person nominated by them) will give the member of staff a formal oral warning, which will be recorded. This will be reviewed after six weeks at a formal meeting. The warning will be disregarded after six months' satisfactory service.

STAGE 2 – WRITTEN WARNING

If the offence is serious, if there is no improvement in standards or if a further offence occurs, a written warning will be given which will include the reason for the warning and a note that a formal review will take place in six weeks. The member of staff has the right of appeal against any decision

to the Trustees. After 6 months, if there has been consistent improvement, the warning is disregarded.

STAGE 3 – FINAL WRITTEN WARNING

If conduct or performance is still unsatisfactory or if misconduct is sufficiently serious to warrant only one written warning, a final written warning will be given, making it clear that any recurrence of the offence or other serious misconduct will result in dismissal. This will be formally reviewed after 6 weeks. The member of staff has the right of appeal against any decision to the Trustees. This warning will be disregarded if improvement is maintained over 6 months.

STAGE 4 – TERMINATION OF EMPLOYMENT

The VCA Trustees may terminate a member of staff's appointment, giving one month's notice or longer as defined by the Employment Protection (Consolidation) Act 1978.

However, the Chairperson of the VCA shall have the power to suspend a member of staff from the performance of all duties for serious misconduct, or other good and urgent cause, but will immediately make a full report of such suspension in writing to the Trustees.

The member of staff shall have the right to a personal hearing, (accompanied by a companion if they so wish), at any meeting of the Trustees at which the confirmation or otherwise of the suspension is to be considered. They will be given not less than seven days' notice of such a meeting. If the member of staff is reinstated, they will not suffer any loss of salary during the period of suspension: if they are not reinstated, they may be deemed to have been dismissed for misconduct or for other good or urgent cause, effective from the date of suspension, and it will be at the discretion of the Trustees to either pay or withhold salary for the period from the date of suspension to the date of actual dismissal.

It will be sufficient service of any notice given by the member of staff under this agreement, if it is addressed to the Trustees or the Chairperson and delivered, or sent by registered post, to their, or their last known, address. It will be sufficient service of any notice given by the Management Committee if it is addressed to the appropriate person and delivered, or sent by registered post, to their last known address.

The VCA Chairperson will not be present at any meeting of the Trustees whilst an appeal by a member of staff against any disciplinary action is heard.

Reviewed: April 2023

Next Review: April 2025