



THE FAVERSHAM SOCIETY

FOUNDED 1962

FLEUR DE LIS HERITAGE CENTRE

ESTABLISHED 1977

Disciplinary Procedure for Volunteers and Trustees

1. Introduction and Purpose of the Procedure

The Faversham Society recognises the essential contribution made by its volunteers and trustees. This advice sets out the action that will be taken when problems occur.

The aim of this advice is to encourage improvement in individual conduct and performance and to minimise disagreements about disciplinary matters thereby reducing the need for “counselling out”.

Volunteers are expected to act with respect, honesty and integrity when communicating/meeting with other volunteers/users of the society and local residents.

2. Key Principles

- To establish the facts quickly and to deal consistently with any disciplinary issues.
- To advise the volunteer at every stage of the nature of the complaint, and give the opportunity to state their case in a meeting before any decision is taken on whether to impose a warning or other sanction.
- To give the volunteer the opportunity to be represented or accompanied at any meeting
- To recognise that in some cases, an investigation will be required before any final decision is taken on whether to impose a warning or other sanction.
- To uphold the right to appeal to the independent panel of the Board, against any disciplinary action taken against a volunteer .

3. Informal Discussions/Counselling

Most disciplinary problems can be solved by informal discussions or counselling. The manager will make every effort to resolve the matter by informal discussions, which may include mediation, additional training, or support for the volunteer. This

would not be recorded as disciplinary action and would be seen as a process of constructive dialogue.

Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented.

THE PROCEDURE:

4. Formal Verbal Warning

If, despite informal discussions, the conduct or performance still does not meet acceptable standards, the volunteer may, following an appropriate disciplinary meeting, be given a formal verbal warning by their manager. The volunteer will be told:

- The reason for the warning
- What the volunteer needs to do to improve the situation
- A timeframe within which the conduct or performance needs to be improved
- Any support or training that might be provided to support the volunteer
- That the verbal warning is the first stage of the disciplinary procedure

A brief note of the warning will be kept but it will lapse after 6 months, subject to satisfactory conduct and/or performance.

5. Written Warning

If there is no improvement in standards within the prescribed time, or if a further offence occurs, the volunteer will receive a letter from their manager. The letter will contain:

- Details of what the volunteer has alleged to have done wrong
- The reason why the current behaviour or performance is unacceptable
- An invitation to attend a disciplinary meeting with their manager at which the problems can be discussed
- Information about the right to be accompanied at the disciplinary meeting
- Copies of any documents that will be referred to at the disciplinary meeting

The disciplinary meeting should take place as soon as is reasonably possible. The meeting will be an opportunity for both the volunteer (with their representative) and the Manager to talk about the allegations being made, review the information with a view to establishing whether to progress the disciplinary action.

Where, following the disciplinary meeting, it is decided that no further action is warranted, the volunteer will be informed in writing.

Where, following the disciplinary meeting, the volunteer is found to be performing unsatisfactorily or their behaviour is deemed unsatisfactory, they will be given a written warning which will set out:

- The performance and/or behaviour problem
- The improvement that is required
- The timescale and date for achieving the improvement
- Any support that will be provided to assist the volunteer
- A statement that failure to improve could lead to a final written warning and ultimately dismissal
- A review date
- The appeal procedure via a panel of the Board

A copy of the written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

Where a written warning is given, the Chair of the Board of Trustees will be advised and kept up to date with any progress.

6. Final Written Warning

If the conduct or performance still remains unsatisfactory by the stipulated date, or if the misconduct is sufficiently serious to warrant only one written warning, a further disciplinary meeting (where a Trustee will be present) will be called with the volunteer and their representative. The disciplinary meeting will be an opportunity for the volunteer to answer the issues raised.

Where this meeting establishes that there has been a failure to improve or change behaviour, then a final written warning will be given to the volunteer. The final warning will:

- Give details of and the grounds for the complaint
- Set out the improvement that is required and a time frame
- Make it clear that any recurrence of the offence, lack of improvement or other serious misconduct within the stipulated period of time will result in dismissal
- Refer to the volunteer's right of appeal to a panel of the Board.

A copy of the final written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

7. Dismissal

If the volunteer's conduct or performance still fails to improve or if further serious misconduct occurs, the final stage in the disciplinary process may be instituted and the volunteer dismissed. The decision to dismiss will be taken by the Chair of the Trustees following an appropriate hearing and the volunteer being given the opportunity to state their case and put forward any mitigating circumstances. Following the hearing the volunteer will be informed as soon as possible as to the outcome and if relevant the reason for the dismissal, the date on which the volunteer must leave and the right of appeal.

8. Gross Misconduct

Where a volunteer is found guilty of gross misconduct, they will normally be subject

to summary dismissal and the above procedures regarding progression of warnings will not apply. Where there is an allegation of gross misconduct, Chair of Trustees will carry out an immediate investigation. The volunteer will have an opportunity to participate in that investigation and put their case and answer the allegations of gross misconduct. While the alleged gross misconduct is being investigated, the volunteer may be suspended, Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible. Any decision to dismiss will be taken only after an investigation and a disciplinary hearing.

If, after investigation and disciplinary hearing, it is deemed that the volunteer has committed an offence of gross misconduct, the normal consequence will be dismissal without notice. The volunteer will be notified of the dismissal and appeal process as soon as possible.

The following list is a non-exhaustive list that indicates the type of actions that may constitute gross misconduct:

- Theft, fraud, deliberate falsification of company documents
- Violent behaviour, fighting, assault on another person
- Deliberate damage to Faversham Society property
- Harassment
- Being unfit for work through alcohol or illegal drugs
- Gross negligence

9. Appeals

If a volunteer wishes to appeal against any disciplinary decision, they must appeal, in writing within five working days of the decision being communicated to them to a Vice-Chair or other Officer of the Board of Trustees. The Vice-Chair or Officer will convene an Appeals Sub-committee to hear the appeal and the volunteer will be invited to a meeting with the Appeals Sub-committee. The volunteer will have the right to be accompanied to the appeal meeting.

The Chair will not form part of the Appeals Sub-committee and the decision of the Appeals Sub-committee will be final.

10. Notes

Records will be retained by the relevant manager and at the end of the procedure passed across to the Society secretary for retention.

The term volunteer in the above is used to denote either a volunteer or a trustee.

The term manager is used throughout to denote the person to whom the volunteer is primarily responsible (or a more senior person) in their work.

In the case of trustees the term manager is used to denote an Officer of the Society other than the Chair.

In the case of disciplinary action in relation to the Chair, the term Manager is used to denote the President of the Faversham Society and any Appeal will be heard by a panel convened by a Vice-Chair of the Board of Trustees.