

NORTH OXFORD ASSOCIATION

DISCIPLINARY AND GRIEVANCE PROCEDURES

DISCIPLINARY PROCEDURE

1. Purpose of the procedure

- 1.1. North Oxford Association requires good standards of behaviour from its employees, together with satisfactory standards of work. These disciplinary procedures apply to any misconduct or failure to meet standards of performance or attendance.
- 1.2. The purpose of the procedure is to bring about improvement rather than to punish, and it should be recognised that the existence of procedures such as these is to encourage employees to achieve and maintain acceptable standards of conduct, attendance and job performance and to ensure consistent and fair treatment for all employees.
- 1.3. This procedure sets out the action which will be taken when the Employer's rules are breached.

2. Principles

- 2.1. If you are subject to disciplinary action:
- 2.2. 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.
- 2.3. At every stage you will be advised of the nature of the complaint, and be given the opportunity to state your case, and be accompanied by a fellow employee of your choice or by an officer of a trade union of which you are a member, who will have the right to address the interview panel, but not to answer questions on your behalf.
- 2.4. 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.
- 2.5. You have the right to appeal against any disciplinary action taken against you.
- 2.6. The procedure may be initiated at any level depending on the degree of the alleged misconduct.

3. Informal Discussion/Counselling

Before taking formal disciplinary action, the Centre Manager/Chairman 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.

The Procedure

3. Formal Verbal Warning

- 3.1. If, despite informal discussions, your conduct or performance does not meet acceptable standards, you will be given a formal verbal warning by the Centre Manager. You will be told:
- 3.2. the reason for the warning;
- 3.3. that this warning is the first stage of the disciplinary procedure;
- 3.4. that you have a right of appeal.
- 3.5. A brief note of the warning will be kept but it will lapse after 6 months, subject to satisfactory conduct and/or performance.

4. Written Warning

- 4.1. If there is no improvement in standards, or if a further offence occurs, a written warning will be given. This will:
- 4.2. state the reason for the warning and a note that, if there is no improvement after one month, a final written warning will be given; and
- 4.3. invite you to attend a meeting to discuss the matter.
- 4.4. A copy of this first written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.
- 4.5. The meeting will take place only if :
 - 4.5.1. the Association has informed you of the basis for including in the
 - 4.5.2. written warning the ground or grounds given in it; and
 - 4.5.3. you have had a reasonable opportunity to consider your response to that information.
 - 4.5.4. You must take all reasonable steps to attend the meeting.

5. Final Written Warning

If your conduct or performance remains unsatisfactory or if the misconduct is sufficiently serious to warrant only one written warning, then a final written warning will be given. This will state that any recurrence of the offence or other serious misconduct within a period of one month will result in dismissal. A copy of the warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

6. Dismissal

If there is no satisfactory improvement or if further serious misconduct occurs, you will be dismissed.

7. Gross Misconduct

7.1. If, after investigation, it is deemed that you have committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal:

7.2. Theft, fraud, deliberate falsification of company documents

7.3. Fighting, assault on another person

7.4. Deliberate damage to Association property

7.5. Sexual or racial harassment

7.6. Being unfit for work through alcohol or illegal drugs

7.7. Gross negligence

7.8. Gross insubordination

7.9. While the alleged gross misconduct is being investigated, you may be suspended, during which time you will be paid the normal hourly rate. 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 a full investigation. If you are found to have committed an act of gross misconduct, you will be dismissed without notice or payment in lieu.

8. Appeals

If you wish to appeal against any disciplinary decision, you must appeal in writing to the NOA Council Secretary within five working days of the decision being communicated to you. Members of the NOA Council who have not previously been involved in consideration of the matter will hear the appeal and decide the case as impartially as possible. You will be invited to an appeal meeting and you must take all reasonable steps to attend the meeting. The appeal meeting need not take place before the dismissal or disciplinary action takes effect.

GRIEVANCE PROCEDURE

9. Introduction

It is the Employer's policy to ensure that employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and as fairly as possible.

10. Informal Discussions

If you have a grievance about your employment you should discuss it informally with the Centre Manager. We hope that the majority of concerns will be resolved at this stage.

11. Stage 1

- 11.1. If the matter is not resolved you may raise the matter, in writing, with the Chair of the NOA Council. You will be invited to attend a meeting with the Chair to discuss the grievance. The meeting will take place only if :
- 11.2. you have informed the Chair of the basis for the grievance in writing; and
- 11.3. the Chair has had a reasonable opportunity to consider their response to that information.
- 11.4. After the meeting, the Chair will respond in writing to the grievance and notify you of the right to appeal against the decision if you are not satisfied.

12. Appeal

- 12.1. If the matter is not resolved to your satisfaction, you may appeal in writing to the NOA Council Secretary. You will be invited to attend a meeting with members of the NOA Council who have not previously been involved in consideration of the matter to discuss it. The meeting will take place only if:
- 12.2. you have informed the NOA Council Secretary of the basis for the grievance in writing; and
- 12.3. the NOA Council has had a reasonable opportunity to consider its response to that information.
- 12.4. After the appeal meeting, the NOA Council will inform you in writing of its final decision. You must take all reasonable steps to attend any meeting. You may be accompanied at any meeting by a fellow worker of your choice or by an officer of a trade union of which you are a member, who will have the right to address the interview panel, but not to answer questions on your behalf.

Approved by Council

Date 29/10/18