



Knowledge for Change

Registered Charity in England and Wales (No. 1146911)
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Appendix 2 Disciplinary Policy

July 2023

Any reference to K4C Faculty includes all staff, volunteers, and students

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Introduction

Effective disciplinary practice can help to establish and maintain the highest standards of performance and demonstrate an organisation's commitment to acting fairly and consistently in maintaining these standards.

Our Policy Statement

Knowledge for Change (K4C) aims to ensure fair and consistent treatment of all employees and volunteers. Individual behaviour and performance of employees and volunteers should meet the standards required to provide a professional, ethical service.

It is our policy:

- To manage capability issues and minor misconduct within a Performance Management process, but where insufficient improvement is made then formal discipline will be instigated.
- To treat all staff and volunteers consistently, fairly and with respect.
- To deal with disciplinary issues in a timely manner and without unnecessary delay.
- Inform members of staff and volunteers in all cases, including where dismissal is contemplated as a potential outcome, in writing, in advance of any disciplinary hearing.
- To fully investigate the case before any disciplinary action is imposed against a member of staff or volunteer.
- To advise the member of staff or volunteer, at every stage in the process, of the nature of the complaint and give them the opportunity to state his/her case before any decision is made.
- Inform the members of staff or volunteer of their right to be accompanied (by a person not acting in a legal capacity).
- That no member of staff or volunteer will be dismissed for a first breach of discipline, except in the case of gross misconduct.
- For staff and volunteers to have the right to appeal against any formal disciplinary action imposed.

Scope of Policy

This policy applies to all K4C faculty

Implementing our Policy

The **Board of Trustees** has the responsibility to ensure that:

- A culture is promoted within the organisation that treats all trustees, employees and volunteers fairly and consistently, and that encourages them to perform and behave so that high standards of service are delivered.
- Effective management systems are in place to ensure the provision of effective disciplinary practice for K4C faculty.
- Staff and volunteers have access to the required resources, including information and training, that promotes good practices within the Disciplinary Policy.
- Appeals are heard and responded to fairly and consistently.

Trustees have the responsibility to:

- Prevent and, where necessary, manage inefficient performance and minor misconduct through the effective **Performance Management** of staff and volunteers.
- Treat all staff and volunteers consistently, fairly and with respect.
- Ensure that staff and volunteers understand the Disciplinary policy, guidelines and their rights.
- Implement the Disciplinary policy where informal attempts to resolve a problem have not succeeded; or if the member of staff or volunteer has previously received a warning which is still current at the time of the conduct complained of; or if a first instance of misconduct is sufficiently serious to warrant formal action being taken.
- Carry out any suspensions and investigations within K4C guidelines if required (
- Appendix 2: Suspension Guidance Overview).
- Maintain confidentiality within the process, ensuring that statements, letters and other communications are kept confidential to those involved in the disciplinary process.
- Take appropriate disciplinary action following an appropriate investigation (See Appendix 3: Disciplinary Actions for the possible outcomes/actions)

All K4C **Faculty** have the responsibility to:

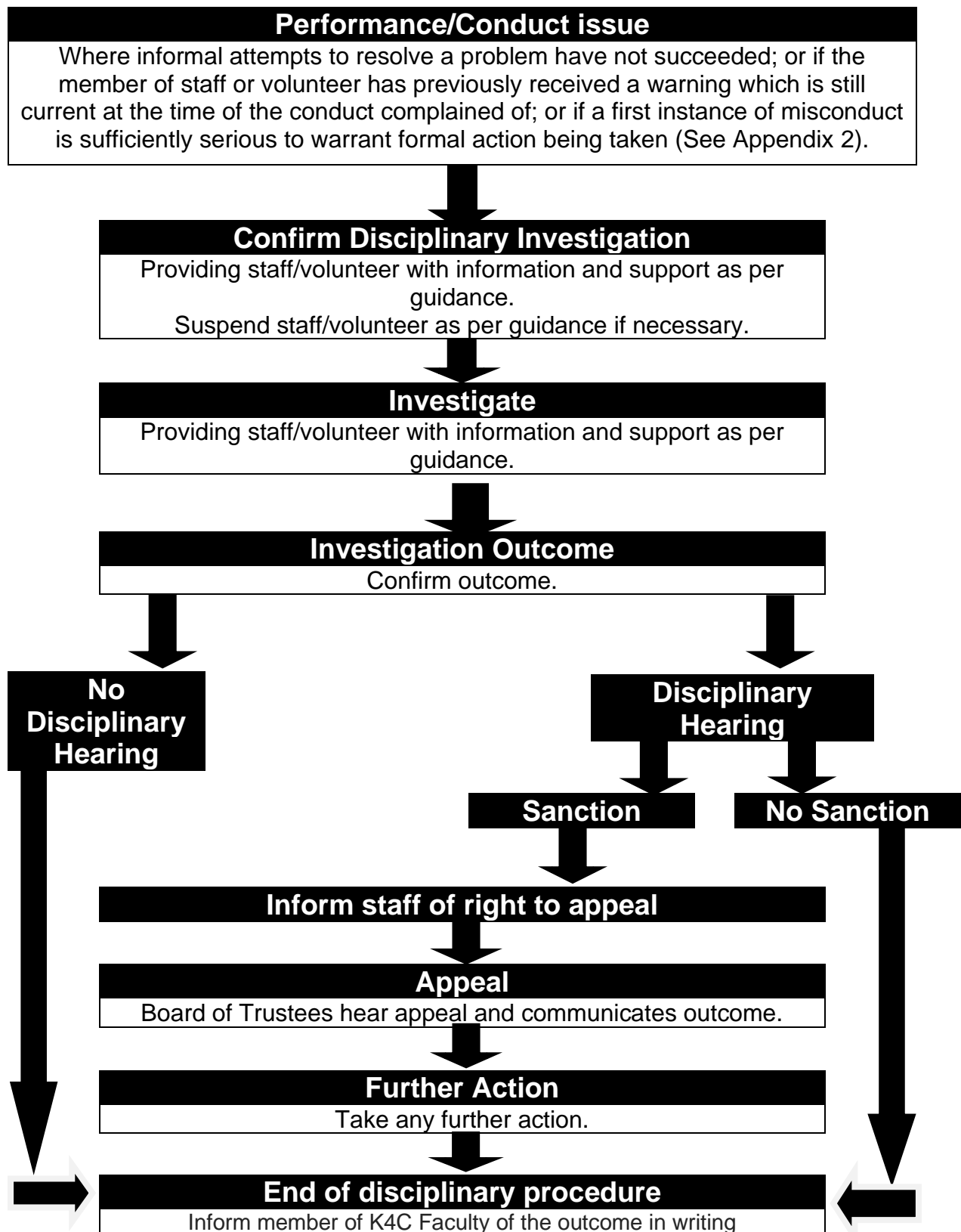
- Perform and behave within the K4C's aims, objectives, values and policy framework and code of conduct.
- Understand the Disciplinary policy and guidance.
- Attend meetings convened under the disciplinary process.
- Make any appeals against any disciplinary decision in writing to the Board of Trustees, wherever possible, within five working days of being told the decision outlining the reasons for the appeal.

Date of last review: July 2023

Date of next review: July 2024

Appendix 1: Disciplinary Policy

PROCEDURAL FLOWCHART FOR DISCIPLINARY



Appendix 2: Suspension Guidance Overview

Consider whether it is appropriate to suspend or temporarily redeploy.
It may be appropriate to suspend the alleged offender in order to relieve the stress on one or both parties, to prevent the risk of further incidents occurring or where it may be difficult to carry out a thorough investigation if both parties remained at work.
Suspension is likely to be more appropriate in the case of particularly serious incidents.
If suspension is appropriate then it should be authorised and carried out by the Chairperson or the Board of Trustees.
The alleged offender should be informed in writing by the suspending Chairperson or Board of Trustees. The letter should make it clear that they are being suspended under this policy, on full pay, and that suspension is a neutral act implying no guilt.
Temporary redeployment of one or both parties can be considered under this policy. Normally it is only appropriate for the alleged offender to be redeployed. Re-deploying the complainant may be construed as victimisation. There may however be circumstances in which the complainant wishes to be moved, and this should be facilitated if appropriate.

Appendix 3: Disciplinary Actions

No action taken

This might be because the employee/volunteer has given good reasons for the situation and it is not appropriate to take any disciplinary action. It might be because the employee/volunteer has shown that the allegations were wrong.

No disciplinary action is taken, but other action is determined

For example, if the situation relates to performance it might have become clear that the employee has not received appropriate training. In such a situation it would be more relevant to arrange appropriate training, rather than applying disciplinary sanctions.

LEVEL 1: A formal verbal warning

Normally issued if it is considered that the capability or conduct of an employee/volunteer has fallen below an acceptable standard and/or the member of staff/volunteer has committed a minor offence.

Where it is found that such a disciplinary offence has occurred, the outcome will normally consist in the first instance of an oral warning, which will be recorded by the manager concerned. A formal oral warning will normally lapse 6 months after issue.

Level 2: A written warning

Normally issued if:

- There is no improvement in capability or conduct about which the employee/volunteer has previously been warned.
- Another related instance has occurred during the currency of a previous warning.
- Misconduct is confirmed and the conduct is of such seriousness that an oral warning is not appropriate.

Where it is found that such a disciplinary offence has occurred a written warning will be given to the employee and a copy placed on his/her personal file. A written warning will normally lapse 12 months after issue.

LEVEL 3: A final written warning

Normally issued if:

- A written warning has already been issued and another instance of misconduct has occurred while it is current.
- There is no improvement in the conduct about which the employee has previously been warned.
- The conduct is of such seriousness that Level 1 and 2 actions are not appropriate but would not justify a dismissal.

Where it is found that such a disciplinary offence has occurred, a final written warning will be given to the employee/volunteer and a copy placed on his/her personal file. A final written warning will normally lapse 18 months after issue.

LEVEL 4: Dismissal

Normally occur if:

- An allegation of gross misconduct is found to be proven.
- There is no improvement in the conduct within the specified period which has been the subject of a final written warning.
- Another instance of misconduct has occurred during the currency of a previous warning and a final written warning has already been issued.

Where a member of staff/volunteer is dismissed; s/he will receive a written statement of the reasons for his/her dismissal, the date on which the employment contract will end, the appropriate period of notice or payment in lieu, payment of any outstanding annual leave and the right of appeal.