

1. General

- 1.1 Action 21 expects good standards of behaviour from its employees and volunteers, together with satisfactory standards of work. The purpose of this document is to ensure that any issues arising from the conduct or performance of either an employee or volunteer are handled in a fair and consistent manner. The employee or volunteer may be suspended while a disciplinary offence is investigated.
- 1.2 Conduct and performance that will be addressed through this procedure:
 - Unsatisfactory performance including failure to follow requests or instructions
 - Inappropriate behaviour including bullying, harassment, discrimination or victimisation;
 - Breaches of Action 21 policies and procedures;
 - Misuse or neglect of Action 21 property or facilities.
- 1.3 Disciplinary matters will be handled with confidentiality and records will be kept in the employee's or volunteer's personnel file. Copies of meeting notes will be provided to the employee or volunteer, although Action 21 reserves the right to withhold information in certain circumstances (e.g. to protect a witness).

2. Informal procedure

- 2.1 General issues of poor performance will be handled informally in the first instance, through discussion/counselling and informal warning(s).
- 2.2 Where an informal approach fails to bring about the desired improvement, or where the offence is more serious, the formal disciplinary procedure will be followed.

3. Formal procedure

- 3.1 A formal verbal warning will set out the performance or conduct issue and the improvement that is required. The employee or volunteer will be advised that this constitutes the first stage of the formal procedure and a record of the verbal warning will be made.
- 3.2 If the conduct or performance of the employee or volunteer does not satisfactorily improve they will be given a written warning. This will set out the nature of the misconduct and the standard of conduct or performance expected and a record of the written warning will be made.
- 3.3 If there is a further failure to improve a final written warning will be given. This will give details of the issue, the improvement required and the time-scale. It will also warn that failure to improve may lead to action under 2.4 (below) and will refer to the right of appeal. A copy of this written warning will be kept on file.
- 3.4 If there is still a failure to improve, or where the conduct or performance is sufficiently serious, the final step in the procedure will be giving formal notice of dismissal. The employee or volunteer will be provided with written reasons for the dismissal, the date on which their contract or volunteering will terminate, as well of their right of appeal.

4. Gross Misconduct

- 4.1 In the event that an employee or volunteer commits an act of gross misconduct, Action 21 is entitled to summarily terminate the employee's contract or volunteer's placement without notice.
- 4.2 In cases of gross misconduct employees and volunteers will be prevented from working or volunteering on any Action 21 projects in the future.
- 4.3 The following list gives examples of offences that will be regarded as gross misconduct:
 - Theft, fraud, dishonesty and/or deliberate falsification of records;
 - Fighting, assault and/or other violent behaviour;
 - Deliberate damage to, and/or misuse of, company property;
 - Use of internet and/or email to access or distribute material of an inappropriate nature;
 - Intoxication and/or incapability due to the effect of alcohol or recreational drugs;
 - Possession, custody and/or control of illegal drugs on company premises;
 - Serious breach of Action 21 rules, policies and procedures;
 - Serious negligence which causes loss, damage or injury;
 - Conviction of a criminal offence that renders them unsuitable for their work;
 - Acts of insubordination and/or conduct likely to bring Action 21 into disrepute;
 - Bullying, harassment, victimisation, verbal abuse and/or discrimination.

5. Appeal

- 5.1 Employees and volunteers have the right to appeal against any formal disciplinary action and such an appeal should be made in writing.
- 5.2 The appeal will be handled by a Trustee and decisions made at this stage will be final.

January 2023