



'HELPING YOUNG PEOPLE CREATE THEIR OWN MUSIC'

## **Disciplinary Rules and Procedure**

### **(Project Leader and Paid Workers)**

Disciplinary action will be taken if informal discussions and supervision sessions with clear targets for improvement have proved ineffective, or if there is misconduct or a breach of rules, policies or procedures which is too serious to be dealt with informally. This is a staged process but, depending upon the seriousness of the offence, The Project Leader and/or Board have the right to enter the process at whatever stage is thought suitable.

#### **Stage 1: First Warning**

Any manager other than the Project Leader should refer all significant issues to the Project Leader or, in the case of the Project Leader, to the Board, who will normally then deal with them directly. The problem work area will be discussed with the worker or Project Leader and the plans for overcoming this; the discussion and plans are recorded and a reasonable time for review agreed with the worker. The Project Leader will inform the chair or another officer of the Board and it will be recorded at their next meeting. A written note or email, clearly indicating that this is the first stage in disciplinary action, will be sent to the worker/Project Leader and a copy placed in their personnel file.

#### **Stage 2: Second Warning**

After consultation with the Chair of the Board, and with reference to the previous recorded oral warnings, a discussion of the problem and a plan for assistance and review will be agreed with the worker/project Leader and recorded, a copy of which will be given to the worker/project leader.

#### **Stage 3: Final Written Warning**

If performance does not improve, or rules, policies or procedures continue to be broken, a final written warning will be issued by the Chair of the Board. This will clearly state that subsequent lack of improvement will result in termination of employment.

#### **Stage 4: Dismissal**

If there is no improvement, a meeting of the Board will be convened at which the worker/project leader will be able to present their case, and to call witnesses. If the Board decide that the worker/project leader should be dismissed, a Notice of Dismissal will be issued giving the period of notice specified in the contract of employment (or giving pay in lieu of notice).

At all the above stages the worker/volunteer/project leader may be represented by his/her trade union official, by another worker, or by someone else of his/her choice.

Appeals against the Final Written Warning and the Notice of Dismissal may be lodged with the Trustees and will be heard by a minimum of 2 Trustees not previously involved in the disciplinary procedure.

## **Gross Misconduct**

Certain types of gross misconduct may lead to instant dismissal of the Project Leader or worker. Such gross misconduct may include for example:

- theft from the organisation or a user
- gross breach of policy on protection of vulnerable people
- gross breach of the equal opportunities policy
- action endangering life and limb
- non-accidental damage to or destruction of property

In such cases where gross misconduct may lead to instant dismissal, the worker or Project Leader will normally be suspended on full pay whilst the incident is being investigated. Any gross misconduct will result in an urgent meeting of at least three Board Members which the worker or Project Leader would be entitled to attend to present his/her case if wished, accompanied by a person of their choice. If it is thought fit dismissal with no notice, and no pay in lieu of notice, may occur and this will be communicated by letter.

## **Grievance Procedure**

If an worker has a grievance about his/her employment, he or she should first raise it with his/her manager who should attempt to settle it. If the Project Leader has a grievance he or she should report it directly to the board of Directors. The worker or Project Leader has the right to be represented by a trade union official or other worker of his/her choosing at this stage of the procedure. Exceptionally, a worker may make written representation directly to the Chair of the Board upon informing the Project Leader of the intention to do so.

If the problem cannot be resolved, the worker or Project Leader should submit a written outline of his/her complaint and discuss the matter with the Chairman of the Board, or other person nominated by the Board. He/she may then elect to present his/her grievance to a full meeting of the Board to whom a written submission must be made at least 7 days in advance of any meeting.

The decision of the Board will be communicated to the worker by the Chair within 7 days.

During any grievance procedure or appeal against a disciplinary decision, the worker or Project Leader will normally remain on existing terms and conditions of employment/contract until a resolution of the dispute is reached.