



Policy & Procedure

Grievance & Disciplinary Procedures for Employees

1.0 MANAGEMENT LEVELS

- a) The Board of Trustees/Directors
- b) The Chair of the Board of Trustees/Directors
- c) Manager
- d) Line manager
- e) Employee

2.0 FORMAL EMPLOYMENT POSITION

All staff are formally employed by UK Deaf Sport.

3.0 GRIEVANCE PROCEDURE

GENERAL POLICY

3.1 For all staff UK Deaf Sport:

3.1.1 Stage 1 - Informal Procedure

The aggrieved staff member should first discuss the matter with the person to whom he/she is directly responsible. This is intended to be an informal discussion to ventilate the problem and to endeavour to settle it amicably without recourse to formal procedures.

3.1.2 Stage 2 - Formal Procedure

If the matter is not satisfactorily resolved at Stage 1, the staff member has the right to request a formal interview with the Chair of the Board of Trustees/Directors (hereinafter referred to as 'the Chair') and also has the right to be accompanied by his/her Trade Union representative, work associate or any other person of their choosing at this and any subsequent stage. The interview should be arranged to take place within five working days of receipt of the request.

3.1.3 If after any action to resolve the grievance the grievance remains unresolved, the aggrieved staff member may request a hearing with the Chair.

The Chair will make arrangements for the case to be heard. The staff member and their line manager will each submit written statements to the Chair giving full details of the grievance. Upon receipt of both the Chair will copy and circulate to the other party. A hearing will be arranged to take place within 10 working days of receipt of the written submissions.

At the hearing, both parties will be entitled to amplify their written submissions and all parties present are entitled to ask questions. The decision of the Chair will be taken in the absence of both parties. The Chair will notify the staff member

and their line manager in writing of the decision.

3.1.4 Stage 3 - Right of Appeal

To exercise a right of appeal the employee must send a concise statement of appeal to the Chair within 10 working days of receipt of the original decisions.

The Chair will convene an appeal body comprising of a co-opted member nominated by the aggrieved employee and two members from the Board of Trustees/Directors appointed by the Chair. The decision of the appeal body shall be taken in the absence of both parties.

If the grievance is substantiated, the appeal body shall make any recommendations they feel appropriate.

The Chair of the appeal body shall notify all parties of the decision in writing within five working days of the hearing.

4.0 GRIEVANCE PROCEDURE FOR THE EMPLOYEE

Stage 1

Should the employee have a grievance he/she should first discuss the matter informally with the Chair of the Board of Trustees/Directors in an effort to find a satisfactory solution as quickly as possible.

Stage 2

If the employee is not satisfied with the outcome he/she may request a formal hearing with the Chair of the Board of Trustees/Directors and may be accompanied by a Trade Union representative, work colleague or any other person of his/her choosing at this and any subsequent stage.

Stage 3

Failing to obtain a satisfactory solution at Stage 2, the employee may apply to the Board of Trustees/Directors of UK Deaf Sport. The Chair of the Board of Trustees/Directors will arrange for a panel of Trustees/Directors and may include other appropriate persons to hear the case. Their decision shall be final subject only to rights in law.

5.0 REPORTING AND RECORDING

Accurate records must be kept of the dates and details of all hearings which take place under the grievance procedure. For all staff, this is the responsibility of the Line Manager. For the Manager, this is the responsibility of the Chair of the Board of Trustees/Directors. The Manager must keep the Chair informed of all grievance appeals, formal and informal.

6.0 DISCIPLINARY PROCEDURE

6.1 General Policy

This procedure is designed to help and encourage all staff to achieve and maintain appropriate standards of conduct and job performance, and to ensure consistent and fair treatment should that not be the case. There might be an occasion when the work performance or conduct of a member of staff falls short of standards agreed within the contract of employment. Every effort must be made by the person directly responsible for supervising his/her work, to bring about the required improvement by informal means.

Where a complaint concerns an employees professional competence, full consideration

will be given in discussion with the employee, to forms of support to improve the employee's performance before the question of dismissal is considered. However, if there is no improvement, the disciplinary procedure will be initiated. No disciplinary action will be taken until the case has been fully investigated and no employee will be dismissed for a first breach of discipline except in the case of gross misconduct.

The provisions of the relevant ACAS code shall be adopted where the representative of a trade union is being disciplined under these procedures.

6.2 Disciplinary Hearing

In all cases requiring implementation of the disciplinary procedure there will be a disciplinary hearing providing the individual with an opportunity to reply to allegations or issues being raised. The individual concerned will be advised of his/her rights to be accompanied at this hearing by a Trade Union representative, work associate or any other person of their choosing and of his/her right of appeal. Full written details of the complaint shall be made available to the employee before the disciplinary hearing takes place. The written details will accompany notification of the disciplinary hearing.

Employees shall be informed in writing of any decisions determined through the disciplinary procedure within 10 working days.

6.3 Stages of the Disciplinary Procedure

The stages of the procedure in ascending order are as follows:

- a) First Warning: Oral warning confirmed in writing
- b) Second Warning: Written
- c) Third and Final Warning: Written
- d) Dismissal

6.4 Authority to Implement the Procedure

First Warning: Direct Line Manager or the Manager or the
Chair

Second Warning: Written and given by the Manager or the Chair
after consultation with the Board of Trustees/Directors

Third and Final
Warning: Written and given on behalf of the Board of Trustees/
Directors

6.5 Authority to Dismiss

Individuals may be dismissed by the Board of Trustees/Directors

6.6 Procedure for the Manager

The procedure is as follows:

First Warning: Oral, given by the Chair and confirmed in writing

Second Warning: Written and given by the Chair following consultation with the
Board of Trustees/Directors

Third and Final
Warning: Written and given by the Board of Trustees/Directors

6.7 Notice of Termination of Employment

Unless summarily dismissed for gross misconduct, the member of staff will be given the appropriate period of notice as stated in his/her conditions of service, or may receive payment in lieu of notice.

6.8 Summary Dismissal

The Board of Trustees/Directors may summarily dismiss a staff member (i.e. without notice or payment in lieu) for gross misconduct.

Gross misconduct will be interpreted as an action which, in the view of the Board of Trustees/Directors, contributes to, or leads to a serious hazard, or has an adverse effect on the welfare or interests of the staff, is a serious abuse of other staff members, or a serious misuse of property or funds of the organisation, drunkenness on duty, the possession an/or use of illegal drugs, or any action or omission deemed likely to bring the organisation into disrepute.

6.9 Suspension

In cases of alleged gross misconduct the staff member may be suspended on full pay while a speedy investigation is carried out. The Chair of the Board of Trustees/Directors or his/her appointed nominee - i.e. another Trustee - has the right to suspend a staff member. This can only be implemented for a maximum of three calendar months.

6.10 Right of Appeal

A staff member may appeal through the formal grievance procedure at any stage during the disciplinary procedure. An appeal against a decision to dismiss must be made (in writing) within 7 days to the Chair of the Board of Trustees/Directors. An appeal body may confirm, vary or dismiss the decision or recommendation before it.

6.11 Recording and Reporting

Proceedings in disciplinary and appeal hearings shall remain confidential until a final decision has been taken.

Cases involving the use of the disciplinary procedure must be carefully documented. Details of written warnings, suspensions or instances of gross misconduct, must be reported immediately to the Chair of the Board of Trustees/Directors.

6.12 Oral and Written Warnings

These will be taken into consideration in the event of subsequent need for disciplinary action for a period of twelve months. This period will start from the date that the outcome of a disciplinary enquiry was notified to the individual concerned.

Records relating to any disciplinary action will be removed from an employees file and destroyed after the period for consideration has expired, or where warnings are linked for repetition of the same or similar offences, after expiration of the most recent warning.