



Very Important People Services

DISCIPLINARY POLICY AND PROCEDURE

Title: Disciplinary Policy

Purpose: To provide information and guidance on how to discipline staff.

Policy: VIPSS understand that from time-to-time managers may have a need to discipline staff due to:

- **Performance reasons** – the staff member is unable to perform the job even after being given the appropriate support, training, leadership and work systems to enable this.
- **Conduct reasons** – the staff member has fallen below the levels of conduct expected of them e.g. poor timekeeping, unauthorised absences, discrimination, bullying or harassment
- **Gross misconduct**, such as:
 - A breach of confidentiality.
 - Theft e.g. of the organisation's, another staff member or a service user's property.
 - Working for another organisation whilst on a leave of absence without prior consent.
 - Unprovoked physical violence, abusive language or actions that are hostile or disrespectful towards a manager, another staff member, service user, family member or carer.
 - Ignoring health and safety procedures or creating or putting oneself or others in an unsafe work situation.
 - Unauthorised use or distribution of company information.
 - Violating the organisation's equal opportunity, harassment or whistleblowing policies.
 - Improper personal behaviour e.g. working whilst under the influence of drugs or alcohol.
 - Malicious damage to the organisation's or service user's property or premises.

VIPSS are committed to the early investigation and resolution of disciplinary problems before they affect the safety of the organisation, service users and staff.

Scope: This policy contains information and guidance from:

- **Acas Code of Practice 1:** Disciplinary and grievance procedures (2015)
- **Acas Guide:** Discipline and grievances at work (2019)

Managers should check guidance from relevant bodies on a regular basis to ensure they are up-to-date with the latest information about disciplinary proceedings and amend this policy and its procedures accordingly. Staff are expected to adhere to this legislation through implementation of its policy and procedures. We will treat all disciplinary issues in confidence in the first instance.

The Registered Manager will be responsible for arranging the appropriate personnel to handle the disciplinary process.

Disciplinary Procedure

1. Loraine Stock will establish the facts of the disciplinary problem, will carry out an investigation to collect evidence of poor performance or conduct. VIPS will decide whether they need to suspend the staff member whilst carrying out the investigations and following hearings. Loraine Stock will then inform the staff member of the need for a meeting to respond to the problem. This will be in writing.
2. Loraine Stock will invite the staff member to a meeting to discuss the problem, giving the staff member all the time and venue details to enable them to attend the hearing. The staff member has the right to bring a colleague or a trade union representative along to the hearing.
3. Loraine Stock will hold the meeting with the staff member to explain the performance or conduct problem and allow the staff member to put forward their side of the problem. Any representatives accompanying staff should not answer questions on the staff member's behalf nor prevent the staff member from answering questions.
4. Loraine Stock will decide whether further action is justified. Unsatisfactory performance or misconduct will be punished by:
 - [Verbal or written warning – for a first offence.
 - Final written warning – if more serious.
 - Dismissal – with or without notice – depending on the seriousness of the circumstances (e.g. with notice for redundancy, without notice for gross misconduct)]

Provide staff with an opportunity to appeal against the result.

5. Loraine Stock will provide staff with an opportunity to appeal against the result. Appeal hearings will take place within 5 working days. They will be heard by Jonathan Stock to ensure impartiality. As for the initial hearing, the staff member will be given all the time and venue details to enable them to attend the hearing. Once again, the staff member has a right to bring a colleague or a trade union representative.

6. The staff member can offer additional evidence not heard in the first hearing. Loraine Stock will explain to the staff member that his/her decision is final.

7. Loraine Stock will decide whether there is new evidence to overturn the original decision or whether to retain the original decision. Loraine Stock will inform the staff member of the outcome of the meeting in writing. The staff member will need to consider whether they are happy with the response or, if they are not happy with the outcome, whether to take this to a Tribunal.