



# Windsor Christian Action

Supporting Vulnerable People in the Windsor Community

## Disciplinary Policy & Procedure for Staff and Volunteers

### 1. Disciplinary policy:

1. In all organisations it is necessary to establish and maintain certain standards of conduct and performance. To ensure effective control of standards, disciplinary procedures are introduced that will enable any lowering of standards, or breaches of the normal conduct expected of all employees, to be dealt with in a fair and just manner.
2. This does not preclude any informal discussions concerning the performance or conduct of an employee. It is important that adequate counselling procedures exist between supervisors or managers and their staff to minimise the need for formal disciplinary action.
3. Where an initial breach of discipline is sufficiently serious or where progressively more serious disciplinary action does not result in the required improvement, WCA may dismiss an employee.
4. No formal disciplinary action shall be taken before the employee has had the opportunity to put their case at a hearing where all facts can be considered and, if necessary, witnesses called. The employee may be accompanied at a disciplinary hearing by a 'friend' if they so wish.
5. Anyone subject to formal disciplinary action will be notified in writing of the decision made at the hearing and of the right of appeal against that decision.

### 2. Disciplinary rules:

Employees are required to

1. Carry out their duties to the best of their capability to the standard set by WCA. If any aspect of the work is not clearly understood guidance and, if necessary, instruction must be sought.
2. Work in a manner safe to themselves and to any other person who may be affected by their work. (See WCA's Health & Safety Policy.)
3. Take appropriate care of WCA resources.
4. Conduct themselves in a courteous, considerate, and non-discriminatory manner.

These few rules on performance and behaviour are the framework against which the conduct of an employee may be assessed. Within these rules there may be a number of specific ways in which the conduct of an employee is considered undesirable or unacceptable. If such a situation occurs and normal encouragement or correction by the Manager fails to effect an improvement, then the formal disciplinary procedure may be invoked.

### 3. Breaches of WCA's Disciplinary Rules

May be divided into two categories:

1. Gross misconduct. This is misconduct of so serious a kind that WCA cannot tolerate the continued presence of the employee at work. If proven, dismissal can be justified for the first offence.

2. Other misconduct. This is misconduct which will not normally justify dismissal without previous recorded warning(s). A minor offence will call for a lesser intervention; but repeated or aggravated minor offence(s) could lead to more severe sanctions, including dismissal.

#### 4. Examples

It is not possible to list all actions that might be regarded as gross misconduct. Each case will be fully investigated; all extenuating or mitigating circumstances and the overall effect of this breach of conduct upon project users, employees and volunteers working with WCA and upon its public reputation will be seriously considered in coming to a decision.

#### 5. Behaviour outside work

Certain conduct could affect an employee's ability to perform their duties. Eg. unseemly behaviour in a public place damaging to the reputation of WCA and its projects; a criminal charge which could lead to a conviction that damages the reputation of WCA or calls into question the reliability of an employee's judgement.

#### 6. Disciplinary procedure.

- An employee will not normally be dismissed for a first breach of discipline except in the case of gross misconduct or, during the probationary period, failure to satisfy WCA of her/his suitability for the post.
- Minor misconduct or unsatisfactory performance will be dealt with informally. The employee will be encouraged to make the necessary improvement and offered additional guidance, support, training, and supervision as appropriate. She/he will be informed that, should the required improvement be achieved, that will be the end of the matter.

**The manager should make a note on the employee's file of this 'ORAL WARNING'. It will be retained on the file for 6 months.**

- If there is no improvement in standards, or if a further offence occurs, or the offence is such as to warrant it at the outset, the employee will be given a WRITTEN WARNING by their manager or supervisor, which will include the reason for the warning and a note that, if there is insufficient improvement within the designated timescale (usually no more than six months) a final written warning will be given. A first Written Warning will be retained on file for 12 months.
- If conduct or performance is still unsatisfactory, or the offence is sufficiently serious to warrant it at the outset, a FINAL WRITTEN WARNING will be given by the manager, making it clear that any recurrence of the offence or other serious misconduct within a period of twelve months will result in dismissal. A Final Written Warning will be retained on file for 12 months.
- If there is no satisfactory improvement, or if further misconduct occurs, or if the offence is one of Gross Misconduct, the employee will normally be DISMISSED, but not before the matter has been investigated by a panel of two trustees who have not, up to this point, been involved. This panel will have the authority to dismiss. The panel will receive in advance from the manager all the documentation relating to the offence/conduct under consideration. The documentation will also be made available in advance to the subject of the disciplinary procedure. At the hearing, the panel will hear evidence from the manager and subsequently from the subject of the hearing. Witnesses may be called by both parties. The panel will then form a judgement as to whether, on the balance of probability, the offence is proven. If so, the panel will then receive evidence as to any previous warning given. They will then make a decision regarding the dismissal or otherwise of the employee.

**7. Gross misconduct** is misconduct so serious that it could justify dismissal without previous warnings, and without notice or pay in lieu thereof. If after investigation an act of gross misconduct by the employee is confirmed, he/she will normally be dismissed, following the procedure in 6 above.

**8. Suspension.** While gross misconduct is being investigated the employee may be suspended during which time he/she will be paid at their normal rate of pay.

**9. Appeals.** If the employee wishes to appeal against any disciplinary decision, he/she must do so within seven days of being notified of the decision, by writing to the Secretary of WCA giving the reason for the appeal.

The employee will be notified of a date for the appeal hearing within ten working days of receipt of her/his letter or email. He/she may bring with her/him to the appeal hearing a 'friend' to give support or advice.

The Appeal will be heard by a panel of two trustees (who may appoint a third person to join them).

The panel will receive will receive all the documentation from the previous stage in the disciplinary procedure. The documentation will also be made available in advance to both the subject of the disciplinary procedure and the manager or supervisor.

The panel will then hear evidence from the manager or supervisor, the subject of the hearing, and witnesses may be called. The panel will then form a judgement and make a decision whether or not to uphold the appeal.

The employee will be notified in writing confirming the panel's decision within three working days of the hearing.

The panel's decision will be final.

Reviewed by M.N.McEvoy; May 2020

Approved by Trustees; June 2020

Next Review date; within 18 months

**Windsor Christian Action**  
Windsor Baptist Church Windsor, Berkshire SL4 1EH  
[www.windsorchristianaction.org](http://www.windsorchristianaction.org)  
Charitable Incorporated Organisation No: 1154308

Windsor Christian Action is the umbrella charity for the following: Windsor Homeless Project, Windsor Street Angels, Windsor Foodshare and More than a Shelter.