**WORK PLACE CHAPLAINCY SCOTLAND**

**Listening & caring - in confidence**

**DISCIPLINARY POLICY**

**1 Introduction**

WPCS’s disciplinary policy is designed to help promote orderly employment relations as well as fairness and consistency in the treatment of individuals.

The emphasis of WPCS’s approach is to:

* Establish the full facts quickly
* Deal with the individual and facts consistently and fairly
* Encourage improvement through informal procedures supporting an under-performing individual to become more effective
* Avoid making hasty decisions
* Provide an opportunity for appeal against the outcome of a formal disciplinary meeting.

**2 Procedure**

**2.1 Informal approach**

It is expected that most issues will be resolved through informal discussions between the line manager and the employee/volunteer, which are designed to highlight the shortfall in the employee’s performance, and to agree a course of action. A brief note of the discussion should be held with the manager.

The line manager will take formal action if: informal does not result in an improvement; the unsatisfactory performance is considered too serious to be classed as minor; or it is a case of misconduct.

**2.2 Formal approach**

Where, after a full investigation of the facts, an employee/volunteer’s conduct or performance warrants being dealt with through a formal disciplinary procedure, the following 3 step process will take place:

***Step 1 Statement of grounds for action and invitation to meeting***

The employee’s alleged conduct or characteristics, or other circumstances which have led to disciplinary action being contemplated, will be set out in writing and given/sent to the employee by the appropriate Regional Organiser. The employee will be invited to attend a meeting to discuss the matter within 7 days of receiving the letter.

***Step 2 The meeting***

The meeting must take place before any action is taken (except in the case where the disciplinary action consists of suspension), and can only take place once the employee has: been informed on what basis the disciplinary action is being contemplated (as at Step 1); and has had a reasonable opportunity to consider their response to that information.

The employee must take all reasonable steps to attend the meeting. The employee has the legal right to be accompanied at the meeting by a fellow worker or a certified official employed by a trade union. Following the meeting the employee will be informed in writing of the decision, and be notified of their right to appeal against the decision. The disciplinary action may take place before the appeal is heard.

Outcomes of a disciplinary meeting may include:

* verbal warning
* written warning
* final written warning
* dismissal with notice
* dismissal without notice

Dismissal without notice will only be applied in cases of gross misconduct, or where WPCS considers the situation to be so serious that any further working relationship and trust between WPCS and employee/volunteer is impossible and therefore the contract between employer and employee is effectively destroyed. Examples of gross misconduct may include, but is not restricted to:

* theft or fraud
* physical violence or bullying
* deliberate and serious damage to property
* serious misuse of organisation’s property or name
* deliberately accessing internet sites containing pornographic, offensive or obscene material
* serious insubordination
* unlawful discrimination or harassment
* bringing the organisation into serious disrepute
* serious incapability at work brought on by alcohol or illegal drugs
* causing loss, damage or injury through serious negligence
* serious breach of health and safety rules
* serious breach of confidence.

***Step 3 Appeal***

The employee/volunteer must inform the employer if they wish to appeal against the outcome of a disciplinary meeting by writing to:

Administrative Coordinator, Work Place Chaplaincy Scotland, 258 Colinton Mains Road, Edinburgh EH13 9BU.

This letter must be received by WPCS within 7days of the employee/volunteer receiving the decision. (NB an email copy may be sent to info@wpcscotland.co.uk but a signed hard copy is required within the above timescale.)

The employee will be invited to attend a further meeting, to which the employee must take all reasonable steps to attend. The employee has the legal right to be accompanied at the meeting by a fellow worker or a certified official employed by a trade union. Following the appeal meeting, the employee will be informed in writing of the final decision.

**Confidentiality**

It is in the interest of both WPCS and employees/volunteers to keep written records during the disciplinary process. These are treated as confidential and will be retained by the Administrative Coordinator for 5 years. Under the Data Protection Act 1998 employees/volunteers have the right to request and have access to certain personal data. Requests to access these records should be made in writing to: The Administrative Coordinator, WPCS, 258 Colinton Mains Road, Edinburgh EH13 9BU.