Florence Park Community Association
STAFF DISCIPLIARY POLICY AND PROCEDURE

Date Ratified:	August 2025
Next Review Date:	June 2027
Organisation Name:	Florence Park Community Association, Charity No. 1159506

1 Introduction

We will use this procedure to help and encourage employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment.
A disciplinary process can be stressful for everyone involved. Different people might respond differently to stressful situations. We understand the prospect of disciplinary action might cause distress and affect your mental health. We will support you throughout to help avoid this happening to you. Please talk to your manager about how we can support your wellbeing.

2 Principles

- Where appropriate we will consider informal action by your manager to resolve problems.
- We will not take disciplinary action against you until the case has been fully investigated.
- For formal action we will advise you of the nature of the complaint against you and we will give you the opportunity to state your case before any decision is made at a disciplinary meeting.
- We will provide you, where appropriate, with written copies of evidence and relevant witness statements before a disciplinary meeting.
- You will not be dismissed for a first breach of discipline, except in the case of gross misconduct, when the penalty is dismissal without notice and without payment in lieu of notice.
- You have the right to appeal against any disciplinary action.
- The procedure may be used at any stage if your alleged misconduct needs this.
- Your right to be accompanied: You have the right to be accompanied where a disciplinary meeting could result in:
    - a formal warning
    - some other disciplinary action
    - confirmation of a formal warning or other disciplinary action (for example, at an appeal hearing)

    - The right is to be accompanied by:
        - someone you work with who could be a volunteer at the Community Centre
        - a friend or family member
        - a trade union representative

You should tell us as soon as possible if you would like a companion and who they will be so we can make arrangements in good time. You should also let us know If you need any reasonable adjustments for a disciplinary meeting, for example for a disability.

3 Procedure

3.1 First stage of formal procedure

A performance or conduct problem which cannot be resolved by the manager concerned will be reported to the Board of Trustees who will appoint one of their number to investigate it. They will speak to you, consider anything you put to them in writing and talk to anyone else who might be able to shed light on the matter. If the circumstances warrant it, CCTV images may be viewed as part of the investigation. If the investigation confirms that there is evidence of poor performance or misconduct one of the following actions will normally be taken:

- an improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. We will advise you that this is the first stage of the formal procedure. We will keep a record of the improvement note for 6 months, but it will then be considered spent – as long as you achieve and maintain satisfactory performance. Unsatisfactory performance can include lengthy sickness with no immediate prospect of return to work or frequent short periods of sickness. In either case the disciplinary procedure will only be used where your absence is preventing the FPCA from achieving its charitable purpose in the community and no other solution can be found.

  or

- a first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct, the change in behaviour required and the right of appeal. The warning will also tell you that a final written warning may be considered if there is no sustained satisfactory improvement or change. We will keep a record of the warning, but it will be disregarded for disciplinary purposes after 6 months.

3.2 Final written warning

We might give you a final written warning if:

- the offence is sufficiently serious
- there is further misconduct
- there is failure to improve performance while you're still under a prior warning

The final warning will confirm the full details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal.

Meetings to investigate a conduct or performance concern will be arranged for a time convenient to you and anyone who accompanies you. If for any reason you cannot or do not attend an arranged meeting it will be rearranged to try to accommodate you. However, if you do not attend on this occasion the matter will be decided without you being there.
A copy of this written warning will be kept on your personal file but it will be disregarded for disciplinary purposes after 12 months as long as you achieve and maintain satisfactory conduct or performance.

3.3 Dismissal or other action

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal. Dismissal decisions can only be taken by the Chair of Trustees. You will be provided in writing with the:

- reasons for dismissal
- date your employment will end
- confirmation of all final payments you are owed, including holiday pay and notice pay
- right of appeal

If an action short of dismissal has been decided on, you will:

- receive confirmation of the full details of the complaint
- be warned that dismissal could result if there is no satisfactory improvement
- be advised of the right of appeal

The written warning will be kept on your personal file but it will be disregarded for disciplinary purposes after 12 months as long as you achieve and maintain satisfactory conduct or performance.

3.4 Gross misconduct

The following list provides some examples of offences which are normally regarded as gross misconduct but is not exhaustive:

- theft or fraud
- physical violence
- bullying
- deliberate and serious damage to property
- serious misuse of FPCA property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- serious insubordination
- discrimination, harassment or victimisation
- bringing the FPCA into serious disrepute
- causing loss, damage or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence
- An offence covered by the of the FPCA Safeguarding Policy

We might consider suspending you while carrying out a disciplinary investigation if there's a serious issue or situation. Suspension is when we tell you to temporarily stop working. You would be on full pay throughout any suspension period.

We will consider each situation carefully before deciding to suspend you. Suspension will not be needed for most investigations. Suspension does not mean you have been proved to have done anything wrong and will not be used to discipline you.

We understand being suspended might be stressful so we will:

- only suspend you if there's no other option
- support you throughout the suspension period, always considering your mental health and well-being

3.5 Appeals

If you want to appeal against a disciplinary decision you must do so within 7 days. The Trustees will appoint a competent external person to consider your appeal. This will normally be someone with prior knowledge and experience of the community centre.

At the appeal any disciplinary penalty imposed will be reviewed and either confirmed or amended. The decision will be final.