



## The Shrublands Trust

### Disciplinary Policy

#### Introduction and Purpose

The Shrublands Trust is committed to create an environment where all volunteers are able to perform to their best ability and achieve satisfaction in their volunteering role. The Shrublands Trust also recognises that there may be occasions where disciplinary and or performance issues arise. The purpose of this policy is to ensure that if such problems do arise, they are dealt with fairly and consistently. This policy sets out the action that will be taken when problems occur.

#### Principles

The Shrublands Trust, Volunteers 'Discipline Policy and Procedure' is designed to establish the facts quickly and to deal fairly and consistently with disciplinary issues. At every stage of the process, the volunteer will be advised of the nature of the complaint and be given the opportunity to state their case in a meeting before any decision is taken on whether to impose a warning or other disciplinary sanction. The volunteer will be given the opportunity to be represented or accompanied at any disciplinary meeting.

In some cases an investigation will be required before any final decision is taken on whether to impose a warning or other disciplinary sanction. There is a right for the volunteer to appeal against any disciplinary action taken against them.

#### Informal Meeting

There may be times when certain behaviour and actions can unintentionally cause offence or upset, and before the 'Discipline policy and procedure' is invoked, it may be appropriate to conduct an informal meeting. Most problems can be resolved by informal discussions or counselling, and often this can avoid the need for formal disciplinary action. This may include mediation or additional training or support for the volunteer.

An informal meeting would not be recorded as disciplinary action and would be seen as a process of constructive dialogue. If the problem cannot be resolved informally with your volunteer, it might then be appropriate to invoke the disciplinary policy and procedure.

#### Stage 1 – Formal Verbal Warning

A formal verbal warning may be given to the volunteer if, despite informal discussions or training, the conduct or performance still does not meet acceptable standards. This should follow an appropriate disciplinary meeting delivered by the trust manager.

A brief note of the warning should be kept but, subject to satisfactory conduct and/or performance, this would lapse after 6 months.

#### Stage 2 – Written Warning

If there is no improvement in standards within the prescribed time, or if a further offence occurs, the volunteer should receive a letter from the manager inviting them to attend a further disciplinary meeting.

The disciplinary meeting should take place as soon as is reasonably possible, but with sufficient time for the volunteer to consider their response to the information contained in the letter. The meeting should be an opportunity for both the manager and the volunteer, (who may if they wish, have a representative present) to talk about the issues or allegations being made and to consider the information with a view to establishing whether to progress the disciplinary action.

Following the disciplinary meeting, if it is decided that no further action is warranted, the volunteer should be informed in writing. If the volunteer is found to be performing unsatisfactorily or their behaviour is deemed unsatisfactory they will be given a written warning.



A copy of the written warning should be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance. Where a written warning is given, the Chair of the Board of Trustees will be advised and kept up to date with any progress.

### **Stage 3 – Final Written Warning**

If the conduct or performance still remains unsatisfactory by the stipulated date, or if the misconduct is sufficiently serious to warrant only one written warning, a further disciplinary meeting (where the Chair of Trustees will also be present) should be called with the volunteer and their representative. The disciplinary meeting will be an opportunity for the volunteer to answer the issues raised. If as a result of this meeting it is established that there has been a failure to improve or change in behaviour, then a final written warning should be given to the volunteer.

### **Final Stage – Dismissal**

If the volunteer's conduct or performance still fails to improve or if further serious misconduct occurs, the final stage in the disciplinary process may be instituted and the volunteer will be informed by the Chair of The Shrublands Trust of their dismissal.

### **Gross Misconduct**

Where a volunteer is found guilty of gross misconduct, they would normally be subject to summary dismissal (instant dismissal without notice) and the above procedures regarding progression of warnings should not apply.

### **Examples of gross misconduct might include:-**

- deliberate falsification of expenses claims
- disclosure of confidential information (see Data Protection Policy)
- convictions of a criminal offence that undermine a person's suitability for volunteering
- provision of false information relevant to a person's volunteering position
- consistently poor attendance, without appropriate notification
- use of abusive or offensive language or behaviour
- bullying or harassment (see Bullying and Harassment Policy)
- being under the influence of alcohol or drugs
- theft of property or misuse of equipment or materials
- failure to abide by policies and procedures
- failure to satisfactorily perform assigned duties

### **Appeals**

If a volunteer wishes to appeal against the disciplinary decision, this should be made in writing to the Chair of The Shrublands Trust within five working days of the decision being communicated to them. The appeal will then be considered at a meeting of the Board if Trustees in consultation with the trust manager and the decision recorded and communicated within fourteen days of receiving the appeal.

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