



## **Disciplinary procedure**

### **1. Purpose and scope**

FVAF's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached.

### **2. Principles**

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- At every stage in the procedure employees will have the opportunity to state their case and to be represented or accompanied, if they so wish, at the hearings by a work colleague or some other appropriate representative.
- An employee has the right of appeal against any disciplinary penalty

### **3. The Procedure**

#### **Stage 1 – first warning**

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded but will be disregarded after six months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change.

Note that if the first offence is sufficiently serious (for example it has, or is likely to have, a serious harmful effect on the organisation) then it may be justifiable to move directly to a final written warning.

### **Stage 2 – final written warning**

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within a six months then action at stage 3 will be taken

### **Stage 3 – dismissal or action short of dismissal**

If the conduct or performance has failed to improve, the employee may suffer demotion, or some other such loss, or dismissal

## **4. Statutory discipline and dismissal procedure**

If an employee faces dismissal, or action short of dismissal such as demotion or loss of pay, then the minimum statutory procedure will be followed. This involves :-

**Step 1** – a written note to the employee setting out the allegation and the basis for it

**Step 2** – a meeting to consider and discuss the allegation

**Step 3** – a right of appeal including an appeal meeting

The employee will be reminded of their right to be accompanied at any meetings

## **5. Gross misconduct**

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (this list is not exhaustive but covers most of the more usual offences under this heading), the normal consequence will be dismissal without notice or payment in lieu of notice:

- theft, damage to property, fraud, incapacity for work due to being under the influence of intoxicants, physical violence, bullying and gross insubordination

While the alleged misconduct is being investigated the employee may be suspended, during which time they will be paid at their usual rate. Any decision to dismiss will be taken by FVAF only after full investigation.

## **6. Appeals**

An employee who wishes to appeal against any disciplinary action must do so to the Chair of FVAF without unreasonable delay. The employer will hear the appeal and decide the case as impartially as possible.

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