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DISCIPLINARY & GRIEVANCE POLICY

DISCIPLINARY PROCEDURES

St Austell AOS disciplinary procedure has the following stages:

- A formal, verbal warning in the case of a minor offence.
- A written warning for subsequent minor offences or a more serious offence.
- A final written warning for further misconduct. The warning will make it clear that dismissal may follow failure to comply.
- Dismissal with appropriate notice will follow if there is insufficient improvement.

Misconduct

This is conduct which is sufficiently serious that it requires disciplinary action. In order to warrant dismissal, misconduct must be extremely serious, or repeated on more than one occasion. Misconduct can include persistent lateness, unauthorised absence and failure to meet known work standards, smoking in non-smoking areas, misuse of props and or costumes etc.

Gross misconduct

This is the term used for serious misconduct, which may lead to instant dismissal or membership being revoked. Acts that constitute gross misconduct are those resulting in a serious breach of contractual terms or going against the societies constitution. These include the following:

- Theft, fraud or deliberate falsification of records.
- Physical violence.
- Serious bullying or harassment.
- Sexual harassment or assault.
- Serious insubordination.
- Serious incapability brought about by alcohol or illegal drugs.
- Endangering others through deliberate breach of Health & Safety procedures.

St Austell AOS will detail what they consider to be gross misconduct to ensure that the person understands the type of behaviour they consider unacceptable.

In the case of gross misconduct, the society will suspend the person and carry out an investigation.

Suspension

Suspension will take place in the following circumstances:

- Where children are at risk.
- Where the person needs protection themselves.
- Where the allegations amount to gross misconduct.
- Where the society's reputation might suffer unduly.
- Where the presence of the person may impede investigation.

Types of warning

First Verbal Warning:

In the case of a minor infringement the person may be given a formal verbal warning. They will be told of the reasons for the warning, that it is the first step in the disciplinary process and that they have the right of appeal.

First Written Warning:

If the infringement is regarded as more serious, the person may be given a formal written warning, giving the details of the complaint, the improvement required, the timescale allowed for this and the right of appeal. The warning will also state that a final written warning might be considered if the desired change doesn't occur.

Final Written Warning:

Where there is failure to improve the behaviour, or an infringement which is considered sufficiently serious, the person may be given a final written warning. This will include details of the offence and that failure to improve may result in dismissal and the right of appeal.

Dismissal or other sanction

If the behaviour remains unchanged then the sanction imposed may include suspension, demotion, loss of seniority or dismissal.

The decision to dismiss must be taken by the Executive Committee and the person should be informed as soon as is reasonably practicable and told how to make an appeal. The decision to dismiss must be confirmed in writing and the person has the right on request to have a written statement of the reasons for dismissal.

Records

St Austell AOS will ensure that a record is kept of all written warnings. However, any disciplinary action taken (other than dismissal) should be disregarded after a period of time depending on the severity of the action taken:

- Warnings for minor offences may be valid for up to 6 months.
- Final warnings may remain in force for 12 months or more.

Once the time limits have been passed, warnings will be disregarded in any further disciplinary proceedings. These records should be kept confidential and retained in accordance of the disciplinary procedure and the Data Protection Act 1998, which requires the release of certain data to individuals on their request.

Appeals

The opportunity to appeal against a disciplinary decision is essential to natural justice. Appeals should be made in writing to the Secretary at secretary.aos@gmail.com and will be dealt with within 14 days of receipt of the warning or dismissal.

Individuals will be informed of arrangements for appeal hearings and also of their right to be accompanied. The individual will be informed of the result of the hearing as soon as possible and this will be confirmed in writing.

The appeal panel will consist of the Executive Committee.

GRIEVANCE PROCEDURES

INFORMAL PROCEDURE

Complaints where appropriate should be dealt with informally, by discussion with:

- The person concerned, or
- The complainant and the Chair.

The Chair may take the matter up with the person concerned if requested to do so by the complainant.

Such informal discussions should not be officially recorded and it will be made clear that they do not form part of the official grievance procedure.

FORMAL PROCEDURE

Support

At any stage during this process the complainant can seek support from the Chair.

This might be to:

- listen and offer moral support;
- explain any bit of the procedure;
- help identify the options open to the complainant;
- help draft a letter.

Records

The outcome at each stage of the formal procedure will be recorded. The record will include:

- a note of any agreed corrective action;
- a note of any warning that has been given and the period after which this warning will be disregarded.

Copies of this sheet should be given to each party.

THE PROCEDURE

STAGE ONE:

The grievance should be raised with the Chair. This should be done in writing. The Chair will convene meetings with relevant parties to look into the grievance if possible within 10 working days of receiving the request. The Chair alone makes the decision, but may consult with the rest of the Executive Committee before any decision is made. If the situation is potentially a disciplinary one the disciplinary procedure will be followed.

STAGE TWO:

If the grievance is still not resolved to the satisfaction of the complainant s/he must make a written request to the Chair for stage two (the appeal stage of the grievance procedure.) At this point the committee as a whole should convene a meeting to investigate the complaint.

If the grievance is against the Chair, the complainant should speak to the society's Vice Chair about how to propose a motion of censure or no confidence at the next Committee meeting of St Austell AOS.

This policy will be regularly monitored by the Committee of the society and will be subject to biennial review.

POLICY HISTORY

Policy Date	Summary of Change	Contact	Ratified Date	Implemented Date	Review Date
19/05/2022	New Policy	Chair	16/06/2022	16/06/2022	16/06/2024
01/06/2024	Reviewed – no changes made	Governance Lead	19/06/2024	19/06/2024	June 2026