



**Queen Camel Community Land Trust Ltd.
(QCCLT)**

DISCIPLINARY POLICY & PROCEDURE

Adopted by the Board on behalf of QCCLT
on 19th May 2021

Policy

This policy is designed 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 for all.

1. No disciplinary action will be taken against any member of staff until the case has been fully investigated.
2. At every stage of the procedure the employees will be advised as to the nature of the complaint against him or her and will be given the opportunity to state his or her case before a decision is made.
3. At all stages the member of staff will have the right to be accompanied by a friend or work colleague during the disciplinary interview. There should be two members of the Board present.
4. No member of staff will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.
5. A member of staff will have the right of appeal against any disciplinary penalty imposed.

Procedure

Minor faults will usually be dealt with informally, but where the matter is more serious the following procedure will be used:

Oral Warning

If conduct or performance is not acceptable the member of staff will normally be given an oral warning by the HR Director. He or she will be advised of the reason for the warning. A record of the warning and date it is given will be placed upon the staff member's personnel file.

Written Warning

If the offence is serious, performance is greatly lacking or if a further offence occurs, a written warning will be issued to the employee by the HR director. The written warning will usually outline the nature of the complaint, the improvements required and the timescale. It will warn that further action will be taken if there is no satisfactory improvement. A copy of written warnings will be kept on the personnel file, but will be disregarded for disciplinary purposes after 12 months, subject to the required improvement in conduct and performance.

There may, or may not, be further written warnings and a final written warning. The HR Director must try to counsel the employee as to how he or she could improve.

Dismissal

If the conduct or performance is still unsatisfactory and the member of staff still fails to reach the required standards, dismissal will normally result. The HR director will take the decision to dismiss and will inform the Chair of the Board. In the case of a disciplinary procedure against the HR director, the Board will hear the case, and/or read the written case, and make their decision.

The member of staff will be provided with the date on which employment will terminate, and will be reminded of his or her right of appeal.

Gross Misconduct

The following list provides examples of offences which are normally regarded as gross misconduct:

- Theft, fraud, deliberate falsification of records
- Fighting or assault upon another person
- Deliberate damage to company or others' property on or off the site
- Serious incapability to carry out work functions through alcohol or being under the influence of illegal drugs
- Serious acts of insubordination
- Actions which will bring the reputation of QCCLT into disrepute.

If an employee is accused of an act of gross misconduct, he or she will be suspended from work on full pay whilst an investigation into the alleged offence is conducted. If upon completion of the investigation the HR director is satisfied that gross misconduct has occurred, the result will be summary dismissal without notice and without payment in lieu of notice.

Appeals

An employee who wishes to appeal against any disciplinary decision, should inform the HR director within two working days. The Chair and two members of the Board will hear the appeal and their decision is final. At the appeal, any disciplinary penalty imposed will be reviewed but it cannot be increased.