

MOND VALLEY GOLF CLUB



Founded 1965

Staff Disciplinary Policy

A Disciplinary Policy in accordance with recognised good practice and the ACAS code of practice.

1. Disciplinary Policy

1.1 The club requires all employees to conduct themselves in accordance with its rules and procedures at all times. The objective of this policy is to ensure that when this does not occur, all disciplinary matters are dealt with fairly and consistently. Suspension

1.2 In some circumstances, the club may deem it appropriate to suspend you from your position for a period of time, whilst an investigation is carried out and/or pending disciplinary action.

1.3 You shall receive payment of your full basic salary during this time, and any period of suspension last no longer than is reasonably necessary.

1.4 Suspension should not be viewed as an indication of any guilt or wrong doing. No final decisions regarding disciplinary actions shall be reached until the disciplinary process has been completed. Disciplinary Process

1.5 Step one – **Investigation**

(a) The club will first investigate all allegations of potential misconduct in order to establish the facts and circumstances before reaching a decision as to whether to continue with the disciplinary process.

(b) All staff members are actively encouraged by the club to participate in and assist with any investigation process.

(c) The investigation will be carried out in a fair and reasonable manner.

(d) The amount of investigation required will depend on the nature of the allegations and will vary from case to case.

(e) You do not have a formal right to be accompanied by a colleague or a trade union representative during any investigatory process.

(f) Any interviews held at this stage are purely for investigative purposes. No final decisions shall be reached until the conclusion of the disciplinary process.

(g) Once the investigation is complete, the investigatory officer shall decide whether there are grounds for disciplinary action.

1.6 Step two – **Notification of Hearing**

(a) Should the club decide to commence formal disciplinary action against you, you will be sent a written invitation, requesting your attendance at a disciplinary hearing.

(b) The written invite will provide you with reasonable notice of the hearing and will also set out in detail the allegations to be discussed at the hearing. Additionally, copies of any documentation or statements to be referred to at the meeting will be enclosed.

(c) The letter will inform you that you have a right to be accompanied to the meeting by a colleague or trade union representative. You will only be permitted to bring a companion who does not fall into these categories in exceptional circumstances, for example to assist with language translation.

1.7 Step three – **Disciplinary Hearing**

(a) You must make every effort to attend the meeting. If you, or your companion, are unable to attend the meeting, you must inform the club of this as soon as possible.

(b) If you continually fail to attend the meeting for no good reason, the club may reach a decision based upon the evidence available at the time.

(c) The disciplinary hearing will be chaired by the disciplinary officer and a note taker will also be present to take a minute of the hearing.

(d) You may bring a colleague or trade union representative with you to the hearing.

(e) During the hearing you will be given an opportunity to respond to each of the allegations and comment on any of the evidence obtained.

(f) Your companion may make representations to the disciplinary officer and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

(g) If any further investigative steps have been identified as a result of the disciplinary hearing, an adjournment will be called and these will be carried out. You will be invited back

to attend a secondary meeting, during which you will be able to provide any additional comments in relation to any new information.

1.8 Step four – **Disciplinary outcome**

(a) At the conclusion of the hearing the disciplinary officer will review all of the evidence available, along with any comments you made during the hearing.

(b) Once this review has taken place, the disciplinary officer shall make a decision as to whether the allegations of misconduct are to be upheld and if so what sanction is to be imposed.

(c) The length of time this review will vary from case to case. In some circumstances it will be possible to call a short adjournment to the meeting whilst a decision is reached. If this is not possible, the hearing may be brought to a close and the outcome communicated in writing.

(d) In any event, the outcome of the disciplinary hearing and sanction to be imposed will be confirmed to you in writing. This letter will also inform you of your right to appeal this decision.

Sanctions

1.9 The usual penalties for misconduct are set out below.

No penalty should be imposed without a hearing. We aim to treat all employees fairly and consistently, and a penalty imposed on another employee for similar misconduct will usually be taken into account but should not be treated as a precedent. Each case will be assessed on its own merits.

1.10 Stage one – **first written warning**

(a) The written warning will state the nature of the complaint and details of any improvement required.

(b) It will also state what further action may be taken should your conduct not improve or there is further misconduct.

(c) You will be informed of your right of appeal and how this should be made.

(d) A record of the warning will be placed on your personnel file for a period of 12 months and shall be taken into account should any further disciplinary action be taken during this time.

1.11 Stage two – **final written warning**

- (a) Where a first written warning remains live on your personnel file, or where the misconduct is sufficiently serious so as to warrant dismissal but the club has decided to commute the sanction, a final written warning may be issued.
- (b) The final written warning will state the nature of the complaint and details of any improvement required.
- (c) It will also state that you may be dismissed should your conduct not improve or there is further misconduct.
- (d) You will be informed of your right of appeal and how this should be made.
- (e) A record of the warning will be placed on your personnel file for a period of 12 months and shall be taken in to account should any further disciplinary action be taken during this time.

1.12 Stage three – **dismissal**

- (a) In cases where gross misconduct has been committed or where a further act of misconduct has occurred whilst a final written warning remains live on your personnel file, you may be dismissed.
- (b) In cases of gross misconduct, dismissal will normally be without notice or payment in lieu of notice.
- (c) Your dismissal will be confirmed in writing and you will be informed of your right of appeal.

1.13 In exceptional circumstances, the club may at its discretion impose an alternative sanction such as demotion, transfer to a different post or some other sanction.

Gross Misconduct

1.14 Below are examples of behaviour which the club regards as gross misconduct. This list is non-exhaustive:

- (a) Acts of dishonesty, theft or fraud.
- (b) Serious insubordination.
- (c) Deliberate damage to property.
- (d) Serious or gross negligence.
- (e) Assault, acts of violence or aggression.
- (f) Sleeping whilst on duty.

(g) Possession, use of or being under the influence of alcohol or non-medicinal drugs during working hours or on club premises; (h) Unlawful discrimination, bullying or harassment.

(i) Falsification of records or other documents.

(j) Refusal to carry out reasonable management instructions.

(k) Gambling, bribery or corruption.

(l) Serious breach of confidentiality.

(m) Undertaking private work on the premises and/or during working hours without express permission. Misconduct

1.15 Matters which may justify disciplinary action, but which are unlikely to amount to gross misconduct, include, but are not limited to, the following:

(a) Poor time keeping.

(b) Persistent lateness

(c) Failure to carry out your duties to the required standard.

(d) Absence without permission.

(e) Time wasting.

(f) Minor breaches of contract; and

(g) Improper use of equipment. Appeal

1.16 If you are not satisfied with the outcome of the disciplinary action, you may submit an appeal in writing to Management Board Secretary. Your appeal letter must be received within five days of your receipt of the decision.

1.17 You will then be invited to attend an appeal hearing, at which you may be accompanied by a colleague or trade union official.

1.18 The outcome of your appeal shall be communicated to you in writing