



Disciplinary Policy and Procedure

Lead/Owner	CEO
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Author/Reviewer	CEO/Board of Trustees
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Related Policies	<ul style="list-style-type: none">· Dignity at Work Policy· Grievance Policy· Whistleblowing Policy· Health and Safety Policy
Level of Approval	Board of Trustees

1. Purpose and scope

Compassionate Inverclyde trusts their employees to do their jobs to the best of their ability. If there are signs of staff members misunderstanding their remit or simply not undertaking their work to a high enough standard, the following procedures outlines the steps Compassionate Inverclyde will take.

This policy is designed to take account of the "ACAS code of practice on disciplinary and grievance procedures"¹ and its accompanying guidance.

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 an employee will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be represented or accompanied, if they wish, by a fellow worker, friend or a full-time trade union official of their choice (companion).
- An employee has the right to appeal against any disciplinary penalty.

3. The Procedure

Stage 1 - verbal warning

Informal Verbal Warnings ("Quiet Word")

A private conversation is often called a "quiet word" and should address minor misconduct or performance issues without going through the full formal disciplinary procedure.

Compassionate Inverclyde will keep a confidential written note of the date, the issue, and what was discussed. Reference should be made to the support for improvement, or the agreed-upon plan of action but this does not form part of the formal disciplinary record.

The employee does not need to have their information recorded in their formal disciplinary record, but they should be encouraged to make the required improvements.

Formal Verbal Warnings

If an issue is serious or there is a pattern of problematic behaviour, the informal approach may not be enough, and a formal procedure may be needed.

A formal verbal warning typically signals the start of the official disciplinary process.

Unlike an informal verbal warning, a formal verbal warning will be recorded and can be followed up with further formal stages, such as a written warning.

Stage 2 - first written warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 6 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. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on Compassionate Inverclyde, it may be justifiable to move directly to a final written warning.)

Stage 3 - 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 3 months, action at Stage 3 will be taken.

Stage 4 - dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (this list is not exhaustive), 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 alcohol or illegal drugs
- physical violence, bullying and gross insubordination

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by Compassionate Inverclyde CEO only after full investigation.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the CEO within five working days. Compassionate Inverclyde CEO will hear the appeal and decide the case impartially.

Overlapping grievance and disciplinary cases

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related in may be appropriate for the CEO to deal with both issues concurrently.

References:

Law relating to this document

Leading statutory authority

Employment Rights Act 1996

Employment Relations Act 1999

Employment Act 2008 (Commencement No 1, transitional Provision and Savings) Order 2008

¹<https://www.acas.org.uk/acas-code-of-practice-on-disciplinary-and-grievance-procedures>
(on ACAS website, URL correct as at 01st June 2025)

Document version control

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1.0	First version	CEO	03/07/2025