



*The* **Association**  
*for* **Science Education**

*Promoting Excellence in Science Teaching and Learning*

## DISCIPLINARY & GRIEVANCE PROCEDURES

(Policy Nature only – Non-Contractual)

Please note that this policy applies to all ASE staff. ASE members who are not members of staff should refer to the Complaints Policy, Equality policy and Code of Professional Conduct where appropriate.

## **GRIEVANCE PROCEDURE**

ASE endeavours to be a good employer at all times and encourages good relationships between its employees.

In the event of a problem it is hoped that it can be quickly resolved by informal discussion with the individual or individuals concerned. In the first instance, any grievance should be raised with your immediate line manager who will try to resolve the matter as soon as is reasonably practicable and report the outcome to you verbally. Should this not be possible the formal grievance procedure should be used.

The object of the grievance procedure is to enable you, if you consider that you have a grievance or complaint arising from your employment with ASE, to have it dealt with at the nearest appropriate level within as short a time as possible. If you wish to use this procedure, you can do so freely and without prejudice to your position in the Association

At all stages of the grievance procedure you may be accompanied by a fellow worker or a trade union official of your choice. Each step of the grievance procedure will be processed without unreasonable delay.

This policy has been drawn up with reference to the [ACAS Code of Practice on disciplinary and grievance procedures](https://www.acas.org.uk/acas-code-of-practice-for-disciplinary-and-grievance-procedures/html)<sup>1</sup> and [ACAS Guide to Discipline and Grievances at Work](https://www.acas.org.uk/acas-guide-to-discipline-and-grievances-at-work)<sup>2</sup>

### **The Standard Procedure**

#### **Step 1: Statement of grievance**

In the first instance all grievances must be submitted in writing to your Line Manager who will attempt to deal with the matter after making such consultations as are necessary. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against your manager and you feel unable to approach them, you should contact the Chief Executive (or Chair of Trustees if your manager is the Chief Executive).

#### **Step 2: Grievance hearing**

Every opportunity will be given for your grievance to be stated and thoroughly discussed. You will be invited to attend a meeting to discuss your grievance, normally within five working days. You may choose to be accompanied to this meeting by another employee, trade union representative or an official employed by a trade union. As a matter of good practice, in making your choice, you should bear in mind the practicalities of the arrangements and provide enough time for the manager leading the meeting to deal with the companion's attendance, as set out in the ACAS code of practice for disciplinary and grievance procedures.

After the meeting, the manager will give you a decision in writing, normally within 24 hours if possible. If it is necessary to gather further information before making a decision, your manager will inform you of this and the likely timescale involved.

#### **Step 3: Appeal**

If you are unhappy with your manager's decision and you wish to appeal, you should let your manager know.

You will be invited to an appeal meeting, normally within five working days and your appeal will be heard by a more senior manager or the Chief Executive as appropriate. As with step 2, you will have the right to be accompanied and to make submissions for consideration.

After the appeal meeting you will be informed of the Association's decision in writing, normally within 24 hours if possible. This decision is final and the grievance procedure is exhausted following this stage.

If the grievance being brought relates directly to the Chief Executive, Stage 3 will be undertaken by the Chair (or other Trustee) of the Association.

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<sup>1</sup> <https://www.acas.org.uk/acas-code-of-practice-for-disciplinary-and-grievance-procedures/html>

<sup>2</sup> <https://www.acas.org.uk/acas-guide-to-discipline-and-grievances-at-work>

## DISCIPLINARY PROCEDURE

### Purpose and Scope

This procedure is designed to help and encourage employees to achieve and maintain their performance and standards of conduct. This procedure applies to all employees at all levels. The aim is to ensure consistent and fair treatment for all by ensuring that:

- Informal action will be considered, where appropriate, to resolve problems.
- No disciplinary action will be taken unless the case has been fully investigated.
- for formal action, the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary meeting.
- Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- at all stages there is a right to be accompanied by a colleague or trade union representative during any disciplinary interview.
- No employee 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.
- An employee will have the right to appeal against any disciplinary action.
- any stage of the procedure may be implemented if an alleged offence warrants it.

If an alleged offence requires further investigation, then suspension, with full pay and benefits, may occur. Any suspension will be as brief as possible and will be kept under review. During suspension you are not allowed on the Association premises, except with the permission of the Chief Executive. If you are a key holder, the keys must be returned immediately to the Office Manager. The suspension itself is not an assumption of guilt and is not considered a disciplinary sanction.

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

#### Stage 1 - First warning / improvement note

This will normally be either:

**an improvement note for unsatisfactory performance** if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. You will be advised that this constitutes the first stage of the formal procedure. A record of the improvement note will be kept for 6 months, but will then be considered spent – subject to achieving and sustaining satisfactory performance.

**a first warning for misconduct** if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform you that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after 12 months, subject to satisfactory sustained improvement.

#### Stage 2 – Final Formal Warning

If the offence is sufficiently serious or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given by your Line Manager in the presence of the Chief Executive. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept on file but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

### **Stage 3 – Dismissal**

If there is still further misconduct or failure to improve performance, the final step in the procedure may be dismissal or some other action short of dismissal such as demotion. Dismissal decisions can only be taken by the Chief Executive, and you will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

If some sanction short of dismissal is imposed, you will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept on file but will be disregarded for disciplinary purposes after 12 months subject to achievement and sustainment of satisfactory conduct or performance.

### **GROSS MISCONDUCT**

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

- Theft, fraud or deliberate falsification of records.
- Entering the Association into commitments without specific authority.
- Fighting or assault on another person.
- Deliberate damage to Association/guest/colleagues property.
- Incapability through alcohol or being under the influence of drugs.
- Negligence which causes unacceptable loss, damage or injury.
- Acts of fictionalisation to management or staff.
- Any breach of the licensing/excise law.
- A serious breach of health & safety & hygiene regulations.
- Personal behaviour or actions likely to bring the Association into disrepute or damage its interests.
- Taking inducements financial or otherwise likely to bring the Association into disrepute.
- Serious insubordination
- Serious or persistent offences.
- Unlawful discrimination or harassment.
- Deliberately accessing internet sites containing pornographic, offensive or obscene material.
- A serious breach of confidence.

This list is not exhaustive and will be amended from time to time. The Association reserves the right in appropriate circumstances, to take action in accordance with its rights and duties under criminal law.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

### **Appeals**

An employee who wishes to appeal against a disciplinary decision must do so within five working days to the Chief Executive (or to the Chair of Trustees if the manager leading the disciplinary procedure has been the Chief Executive). The Chief Executive will hear all appeals and decide the case impartially. Their decision is final.