



# **WEALDEN VOLUNTEERING**

79 High Street  
Uckfield  
East Sussex  
TN22 1AS  
**01825 760 919**

office@wealdenvolunteering.org.uk  
[www.wealdenvolunteering.org.uk](http://www.wealdenvolunteering.org.uk)  
Charity number: 1206210

## **Disciplinary Policy & Procedure**

**Approved by the Board of Trustees: MARCH 2024**

**Review By: MARCH 2026**

**Chair signature:**

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# Disciplinary Policy & Procedure

## 1. The Purpose of this Policy

By adopting this policy, Wealden Volunteering aims to:

- Clearly state its expectations
- Set the standards of conduct
- Ensure that all volunteers are treated fairly and consistently.

It is designed to help and encourage all Volunteers to achieve and maintain satisfactory standards of conduct.

## 2. Introduction

This procedure is designed to ensure that there is a fair, transparent and systematic approach, aligned to ACAS Code of Practice, for Wealden Volunteering to maintain standards of conduct for Volunteers.

The following procedure sets out the action which will be taken when its standards of conduct are breached.

Breaches of conduct will be dealt with without undue delay and will allow for information to be kept confidential.

Volunteers must ensure they are familiar with the standards expected of them in relation to their work and of the procedure that will be followed when the standards are not observed.

No action will be taken against a Volunteer until an allegation has been fully investigated. However, depending on the nature of an allegation a volunteer may be suspended without prejudice by the CEO or Board of Trustees whilst an investigation takes place. The investigation will be appropriate to the nature of the allegation and will be undertaken by the CEO or a person appointed by the Board of Trustees

If the CEO believes that there are grounds for an investigation, the facts surrounding the alleged misconduct will be gathered through meeting(s) with the Volunteer and any other relevant person/s.

## 3. Definitions

For the purpose of this document examples of the terms "poor performance" and "misconduct" and "gross misconduct" are:

### Poor Performance:

- Consistent failure to perform work to a reasonable and acceptable standard
- Time keeping
- Evidence of negligence or inadequate attention to the requirements of the job

### Misconduct:

- Infringements or non-observance of any of the working rules, e.g. failure to comply with a legitimate or reasonable management instruction
- Breaches Conflict of Interest requirements (also see gross misconduct)
- Mis-use of equipment
- Smoking in non-smoking areas
- Unreasonable or unacceptable conduct, e.g. abusive, insolent or otherwise unhelpful or offensive behaviour including being under the influence of alcohol or drugs (also see gross misconduct)
- Harassment likely to cause offence to Volunteers, staff, visitors or suppliers (also see gross misconduct)

## **Gross Misconduct:**

- Theft
- Falsifying various records or documentation such as claim sheets or expenses, and other such fraudulent behaviour within the work context
- Malicious damage to or abuse of organisational property
- Failure to comply with duties and/or legal obligations in respect to Health & Safety
- Sexual/racial harassment; indecency at work
- Harassment, bullying (physical & verbal) or threatening behaviour towards another employee, worker or client
- Threatened violence on a colleague or any other person whilst at work
- Acts of incitement or actual acts of discrimination on the grounds of sex, race, colour, religion or belief, ethnic origin, sexual orientation, marital status or age
- Physical or verbal assault on another person
- Serious negligence which causes unacceptable loss, damage or injury
- Gross insubordination to or deliberate provocation towards others
- Incapability through alcohol or being under the influence of illegal drugs
- Serious failure to observe rules on confidentiality
- Serious Breaches Conflict of Interest requirements
- Unauthorised entry to computer records, accessing offensive material via the internet or sending offensive material via email

## **4. Procedures**

The four procedure options are not sequential and will be applied dependant on the nature of the allegation. Depending on the nature of an allegation a volunteer may be suspended without prejudice by the CEO or Board of Trustees whilst an investigation takes place.

### **i) Informal Action**

Before taking formal action, and depending on the nature of the breach, the CEO may make, if appropriate, every effort to resolve the matter by informal discussions with the Volunteer. This will enable performance and conduct to be assessed. This may result in the issue of an informal verbal warning, and the Volunteer may be given the opportunity to make improvements.

### **ii) First Written Warning**

If it is decided that there is a disciplinary case to answer, the Volunteer will be notified of this in writing. The notification will contain sufficient information about the alleged misconduct or gross misconduct, including, where appropriate, written copies of evidence and relevant witness statements, and its possible consequences to enable the employee to prepare to answer the case at a disciplinary meeting. The Volunteer will have the right to be accompanied by someone of their choice at the meeting, e.g. another volunteer or a friend. Furthermore, the CEO will also have the right to be accompanied, for example a Trustee, etc. .

### **iii) Final Written Warning**

If the offence is serious, or there is further misconduct, or poor performance a final written warning may be given to the Volunteer. This will include a reason for the warning, what improvement is required and the timescale. It will also clearly point out that failure to improve could lead to dismissal. This will be kept on file for a period of 12 months and after which can be disregarded subject to satisfactory conduct.

### **iv) Dismissal**

No Volunteer will be dismissed for a first breach of discipline, except in the case of Gross Misconduct, when the person can be dismissed without notice. In the case of Gross Misconduct, whilst being investigated, a Volunteer may be asked to leave the workplace during this time and not carry out any duties on behalf of WV.

Failure by the volunteer to attend meetings may result in a decision being made in his/her absence based on the information available at the time.

A copy of ~~this~~ *any* warning could be disregarded, *depending on the nature of the concerns*, after 6 months of satisfactory conduct.

## **Appeals**

Volunteers have the right of appeal against any disciplinary decision and should be made in writing within 5 working days of the date when the volunteer was notified in writing of the outcome of the disciplinary process, outlining the grounds for appeal. An appeal will be taken to the Wealden Volunteering's Board of Trustees.

An appeal meeting will be convened without unreasonable delay thereafter, at which the Volunteer will be given an opportunity to state his/her/their case and will be entitled to be accompanied for support.

The decision of the appeal will be confirmed in writing and will be final and binding.