
Disciplinary Policy

Coolmine Therapeutic
Community

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1. Responsibility for approval of policy	Board of Management
2. Responsibility for implementation	CEO
3. Responsibility for ensuring review	Operations Manager

Policy Statement

Coolmine Therapeutic Community recognises its obligation to ensure consistent and fair treatment for all staff within the organisation.

Purpose

The disciplinary and capability procedures are designed to help and encourage all employees to achieve and maintain standards of conduct and job performance.

Scope

This policy covers all staff, CE participants and volunteers within the organisation. There are also provisions for people from other agencies conducting in-reach services in Coolmine TC for the time they are on the premises.

Disciplinary Policy

Disciplinary action will only be taken after an investigation has been conducted. Employees are entitled to be represented by a work colleague or union representative at all meetings. In the event of a disciplinary sanction being applied, employees will have a right to appeal the outcome in writing, within 5 working days of the original sanction.

There are a number of stages to the disciplinary procedures. The company reserves the right to enter the disciplinary process at any stage depending on the nature of the issue.

Disciplinary Process

Stage One: Informal Pre-disciplinary Verbal Warning

An informal verbal warning is appropriate when it is necessary for a manager to take action in regard to an employee's minor failing or misconduct. This will set out the performance problem, the improvement that is required, the timescale and any organisational support that may be provided. This does not go on the employee's record.

Stage Two: Formal Verbal Warning

A formal verbal warning is appropriate when it is necessary for a manager to take action in regard to an employee's minor failing or misconduct that has not been improved following an informal verbal warning. The manager will warn the employee verbally of the specific aspect of work or conduct which is below standard and will advise the employee of improvements which must be made within a specific time period. A letter will be issued confirming the verbal warning, a copy of which will be kept on the staff member's H.R. file

If the necessary improvement is made and no further warnings are given for a period of six months, the employee's record will be regarded as clear.

Stage Three: First Written Warning

If there is no improvement in the employee's conduct or performance within the given period, the manager will, issue a second warning, in writing. This written warning will clearly re-state the element of conduct or performance that is not up to the standard and will specify both the action needed to bring the conduct or performance up to the required standard and the time period within which the improvement is to be made. It will also make it clear to the employee that suspension or dismissal will follow if conduct or performance fails to reach a satisfactory level within the confirmed time period. A letter will be issued confirming the final written warning, a copy of which will be kept on the staff member's H.R. file.

If the necessary improvement is achieved and if no further warnings are issued within a nine-month period, the warning will be erased and the employee's record will be clear.

Stage Four: Final Written Warning

A final written warning may be issued when an employee's offence is of a serious nature falling just short of one justifying dismissal or if no improvement in the employee's conduct or performance is noted within the given period following the first written warning. This final written warning will clearly re-state the element of conduct or performance that is not up to the standard and will specify both the action needed to bring the conduct or performance up to the required standard and the time period within which the improvement is to be made. It will also make it clear to the employee that suspension or dismissal will follow if conduct or performance fails to reach a satisfactory level within the confirmed time period. A letter will be issued confirming the final written warning, a copy of which will be kept on the staff member's H.R. file, If the conduct or performance improves to the required standard and if no further action is necessary for a period of twelve months, then this warning will be erased and the employee's record will be clear.

Stage Five: Suspension

Suspension can be used when it is necessary to remove a member of staff from the workplace. This may be as a result of an investigation pending, to prevent them influencing others, or to prevent possible interference with evidence.

If an employee is accused of an act of gross misconduct, they may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated

Suspension will be approved by the CEO or the most senior person available at the time within the organisation. Suspension does not necessarily convey any assumption of wrongdoing by the employee but may be the most appropriate action in the circumstances.

Stage Six: Dismissal Procedure

Dismissal is appropriate when an employee's behaviour is considered to be gross misconduct, or if misconduct or performance issues have persisted, exhausting verbal, first and final warnings.

Dismissal decisions can only be taken by the appropriate senior manager. If an employee faces dismissal, a disciplinary hearing will be held to provide an opportunity for a discussion of this decision. The organisation will inform the staff member of this both verbally and by letter.

Should anyone who is subject to disciplinary action resign during the course of this action, the process will cease unless there are extenuating circumstances which require its continuance.

Gross Misconduct

Listed below are examples of misconduct which may be considered to be gross misconduct and may warrant a final warning, demotion or dismissal, it is stressed however that this list is not exhaustive:

- Theft, including unauthorised possession of company property;
- Physical assault, breach of the peace or verbal abuse;
- Having a physical or emotional relationship with a Coolmine TC client.
- Deliberate damage to organisational property;
- Breaches of confidentiality, prejudicial to the interest of the organisation;
- Fraud or deliberate falsification of records;
- Failure to observe organisational rules, regulations or procedures that results in risks to safety or the operational wellbeing of the organisation;
- Abuse of Coolmine TC sick pay scheme;
- Incompetence or failure to apply sound professional judgement that results in risks to safety or the operational wellbeing of the organisation;
- Consumption of alcoholic liquor or drugs which could affect work performance in any way. Coolmine TC operates a policy of zero tolerance regarding alcohol and drug consumption;
- Insubordination including refusing to carry out lawful work directions;
- Unauthorised possession of goods or documents;
- Misappropriation of funds or materials;
- Seriously breaching health and safety rules or procedures;

- Harassment, sexual harassment, bullying behaviour or obscene conduct;
Viewing and/or downloading inappropriate material or images from websites;
- Sending or distributing inappropriate or offensive material within the project either on paper or electronically;
- Other substantial reason.

Procedure for Formal Investigation.

Formal investigations should be carried out by an appropriate manager who is not directly involved with the incident being investigated. This manager may involve others to assist with the investigation process. In the event where it may not be appropriate to involve a manager, an external agent may be appointed as investigator.

Should the decision be taken to proceed to a disciplinary hearing, this will be communicated to the employee in writing, advising them of their entitlement to have representation at the meeting.

Appeals

Every employee has the right to appeal against a disciplinary procedure or intervention. An employee who wishes to appeal against a disciplinary decision must do so, in writing, within five working days from receipt of official correspondence or the disciplinary action.

Appeals can be heard by another senior manager in the organisation or board member/s.

In the event of dissatisfaction by the staff member with the internal appeal decision the staff member, if appropriate, may refer the matter through the appropriate industrial relations services.