



WE REMEMBER SUBMARINERS

Disciplinary Procedure

PURPOSE AND SCOPE

This procedure is designed to help and encourage all WRS Ex-Officio, Officials, and members to achieve and maintain high standards of conduct, meeting attendance and job performance. The charity constitution applies to all Ex-Officio, Officials and members of WRS. The aim is to ensure consistent and fair treatment for all, irrespective of role and position.

PRINCIPLES

- Informal action will be considered, where appropriate, to resolve problems.
- No disciplinary action will be taken against an Ex-Officio, Official or Member until the case has been fully investigated.
- For formal action, the defendant 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.
- Defendants will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- At all stages of the procedure the defendant will have the right to be accompanied by a WRS trustee.
- No defendant will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice.
- A defendant will have the right to appeal against any disciplinary action.
- The procedure may be implemented at any stage if the defendant's alleged misconduct warrants this.

PROCEDURE

First stage of formal procedure

This will normally be either:

A Performance Improvement Plan (PIP) 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.

The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for six months but will then be considered spent – subject to achieving and sustaining satisfactory performance.

Alternatively, a first warning for misconduct will be issued if conduct does not meet acceptable standards. This will be in writing and will set out:

- the nature of the misconduct
- the change in behaviour required
- the right of appeal.

The warning will also inform the individual 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 a period of six months.

Final written 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 to the individual. This will give details of:

- the complaint
- the improvement required and the timescale
- the warning that failure to improve may lead to dismissal from the charity
- the right of appeal.

A copy of this written warning will be kept by the Chairman but will be disregarded for disciplinary purposes after 12 months subject to achieving and sustaining satisfactory conduct or performance.

Dismissal or other sanction

If there is still further misconduct or failure to improve, the final step in the procedure may result in dismissal from the charity or some other sanction such as removal from their role.

Dismissal decisions can only be taken by the Chairman, and the individual will be provided in writing with:

- the reasons for dismissal
- the date on which their charity involvement will terminate
- the right of appeal.

If some sanction short of dismissal is imposed, the individual will:

- receive details of the complaint
- be warned that dismissal could still result if there is no satisfactory improvement
- be advised of the right of appeal.

Following a sanction, a copy of the written warning will be retained by the Chairman but will be disregarded for disciplinary purposes after 12 months subject to achievement and sustenance of satisfactory conduct or performance.

Gross misconduct

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

- Theft or fraud
- Physical violence or bullying (Physical, written or verbal)
- Deliberate and serious damage to property

- Serious misuse of an organisation's property or name
- Serious insubordination
- Unlawful discrimination or harassment
- Bringing the organisation into serious disrepute
- Causing loss, damage, or injury through serious negligence
- A serious breach of health and safety rules
- A serious breach of confidence

If you are accused of an act of gross misconduct, the alleged offence will be investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice.

Appeals

An individual who wishes to appeal against a disciplinary decision must do so within five working days. The Chairman will hear all appeals and their decision is final. At the appeal, any disciplinary penalty imposed will be reviewed.

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