Disciplinary and Grievance Policy

Document Control

Document Title	Disciplinary and Grievance Policy
Version Number	001
Status	Approved
Publication Date	18th May 2026
Policy Owner / Author	Directors
Review Date	18th May 2027
Approved / Ratified by	Directors
Distribution	All Staff, Volunteers, Directors, Sessional Workers

1. Purpose

This policy sets out South Cumbria Skills Exchange (SCSE)'s, operated by Whamos Training and Development CIC, approach to handling disciplinary matters and grievances raised by members of staff. The aim is to encourage improvement in individual conduct or performance, to deal consistently and fairly with concerns, and to give every member of staff an effective route by which they can raise issues affecting their work.

The procedures in this policy apply to all employees, sessional workers and volunteers. References to "you" mean the member of staff to whom the procedure is being applied; references to "we" or "SCSE" mean the organisation acting through the Directors or their nominated representative.

2. Scope

The disciplinary procedure in Part A applies to matters of conduct or capability that may result in formal action up to and including dismissal. The grievance procedure in Part B applies to any concern, problem or complaint that a member of staff wishes to raise about their work, their working environment, or their relationships with colleagues.

Where a complaint is raised about bullying or harassment, the Bullying and Harassment Policy will apply alongside this policy. Where a concern relates to malpractice, illegality, or risk to the public, the Whistleblowing Policy applies.

Where a concern relates to the conduct of a member of staff towards a learner or other child, the Safeguarding Policy applies and the Local Authority Designated Officer (LADO) will be notified. Disciplinary action under this policy will not begin until any safeguarding investigation has reached a point where it is appropriate to do so.

Part A — Disciplinary procedure

3. Principles

No disciplinary action will be taken until the matter has been fully investigated. On some occasions a temporary suspension on contractual pay may be necessary in order that an uninterrupted investigation can take place. Suspension is a neutral act and is not in itself a disciplinary sanction.

Members of staff will be informed in writing of what is alleged and will be given the opportunity to state their case at a disciplinary hearing. Other than for an off-the-record informal reprimand, staff have the statutory right to be accompanied at all stages of the formal disciplinary process, including appeals, by a fellow employee or a trade union representative.

4. Disciplinary rules

In addition to the specific examples below, a breach of any other rule, condition or procedure that has been made known to you may result in this disciplinary procedure being applied.

Unsatisfactory conduct and misconduct

The following are examples of conduct that may result in disciplinary action. The list is not exhaustive:

- Failure to abide by SCSE's general health and safety rules and procedures.
- Smoking or vaping in non-designated areas.
- Consumption of alcohol on SCSE premises outside any permitted exception.
- Persistent absenteeism or lateness.
- Unsatisfactory standards or output of work.
- Rudeness towards learners, parents, carers, commissioning partners, members of the public, or colleagues; objectionable or insulting behaviour; bullying or bad language.
- Failure to devote the whole of your contracted time, attention and abilities to SCSE's work during your normal working hours.
- Failure to carry out reasonable instructions or to follow SCSE's rules and procedures.
- Unauthorised use of email and internet.
- Unauthorised use, or negligent damage or loss, of SCSE property.
- Failure to report immediately any damage to property or premises caused by you.
- If your role involves driving on SCSE business: failure to report immediately any driving conviction or summons that may lead to a conviction; unauthorised use of SCSE vehicles; failure to report any incident whilst driving on SCSE business; carrying unauthorised passengers or goods.

Serious misconduct

Where unsatisfactory conduct or misconduct, on investigation, is found to be due to extreme carelessness or to have had a serious or substantial effect on SCSE's operation or reputation, a final written warning may be issued in the first instance.

Gross misconduct

Gross misconduct results in dismissal without notice and without any previous warning being issued. It is not possible to provide an exhaustive list of examples; however, any behaviour or negligence resulting in a fundamental breach of contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute gross misconduct. Examples include serious instances of:

- Theft or fraud.
- Physical violence or bullying.
- Deliberate damage to property.
- Deliberate acts of unlawful discrimination or harassment.
- Possession of, or being under the influence of, drugs* at work; testing positive for drug use in a random sample drug test in line with SCSE policy.
- Breach of health and safety rules that endangers the lives of, or may cause serious injury to, employees or any other person.
- Any conduct towards a learner that constitutes a safeguarding concern, including conduct that meets the threshold for LADO referral.
- Serious breach of the Safeguarding Policy.

*For this purpose, "drugs" means both illegal drugs and other psychoactive (mind-altering) substances which may or may not be illegal.

5. Disciplinary action

Disciplinary action will normally be taken in line with the following framework:

	1st OCCASION	2nd OCCASION	3rd OCCASION	4th OCCASION
Unsatisfactory conduct	Formal verbal warning	Written warning	Final written warning	Dismissal
Misconduct	Written warning	Final written warning	Dismissal	
Serious misconduct	Final written warning	Dismissal		
Gross misconduct	Dismissal			

SCSE reserves the right to take account of length of service and to vary the procedures accordingly. Staff with short service may not receive any warnings before dismissal.

Warnings will be issued for misconduct irrespective of the precise matter concerned. Any further breach of the rules, whether in similar or independent matters, will be treated as a further disciplinary matter and may allow the disciplinary process to progress through to dismissal if previous warnings are not heeded.

The authority for the various levels of action is:

Action	Authority
Formal verbal warning	Director
Written warning	Director
Final written warning	Director
Dismissal	Director (with second Director consulted)

6. Period of warnings

A formal verbal warning will normally be disregarded for disciplinary purposes after three months.

A written warning will normally be disregarded for disciplinary purposes after six months.

A final written warning will normally be disregarded for disciplinary purposes after twelve months.

Demotion to a lower role at an appropriate lower rate, or suspension from work without pay for up to five days, may be considered as an alternative to dismissal in appropriate cases.

7. Capability

Where concerns arise about a member of staff's ability to perform their role (as distinct from conduct), SCSE will:

- Discuss concerns informally in the first instance and give time and support to improve, including identifying any training or supervision that may help.
- If performance does not reach an adequate standard, issue a written warning that failure to improve could lead to dismissal, and consider the possibility of a transfer to more suitable work.
- If improvement is still not achieved after a reasonable period, or if the level of performance is having a serious or substantial effect on SCSE, issue a final warning of dismissal unless the required standard is achieved.
- If improvement is not forthcoming after a reasonable further period, terminate employment with appropriate notice.

Where personal circumstances or health issues affect capability, SCSE will normally seek medical advice (with your consent) before any decision is taken about future employment. A reasonable adjustments approach will be applied in line with the Equality Act 2010 and the SEND / Reasonable Adjustments Policies.

8. Right of appeal — disciplinary

You have the right to appeal against any formal disciplinary action taken against you, including dismissal.

Appeals should be made in writing within five working days of receiving the disciplinary outcome, addressed to a Director who has not previously been involved in the matter. Where this is not possible because both Directors have been involved, the appeal will be heard by an external HR adviser appointed by SCSE.

An appeal against a formal warning or dismissal should give the grounds on which the penalty imposed is considered too severe, inappropriate, or unfair in the circumstances.

If the appeal is on the grounds that the offence was not committed, the appeal may take the form of a complete re-hearing and reappraisal of all matters.

You may be accompanied at any stage of the appeal hearing by a fellow employee or a trade union representative. The outcome of the appeal will be confirmed in writing, normally within five working days of the hearing.

Part B — Grievance procedure

9. Principles

If you feel dissatisfied with any matter relating to your employment, you should have an effective means by which the grievance can be aired and, where appropriate, resolved. Nothing in this procedure is intended to prevent you from informally raising any matter you may wish to mention. Informal discussion can frequently resolve concerns without the need for a written record.

10. Informal stage

In the first instance, you should raise your concern verbally with a Director, who will discuss it with you and, where appropriate, attempt to resolve it informally. Where the matter relates to a Director, you should raise it with the other Director.

Most concerns can be resolved at this stage. If the matter is resolved informally to your satisfaction, no further action under this policy is needed.

11. Formal grievance

If a concern is not resolved informally, or if you wish to raise the matter formally from the outset, you should put your grievance in writing to a Director, setting out the nature and extent of the grievance and what outcome you are seeking.

You will be invited to a grievance meeting at which the matter will be investigated. You have the right to be accompanied by a fellow employee or a trade union representative.

You will be notified of the decision in writing, normally within ten working days of the meeting, including your right of appeal.

12. Grievance appeal

If you wish to appeal against the outcome of a formal grievance, you must inform a Director in writing within five working days of receiving the decision.

The appeal will normally be heard by a Director who has not previously been involved in the matter or, where this is not possible, by an external HR adviser appointed by SCSE.

Following the appeal meeting, you will be informed of the final decision, which will be confirmed in writing.

13. Collective grievance

Where the same grievance is raised by more than one member of staff, it may be more appropriate to handle the matter as a collective grievance. In such cases, the same principles apply and the Directors will agree a process with those raising the grievance.

14. Records and confidentiality

All disciplinary and grievance matters are handled in confidence and shared only with those who need to know. Written records of meetings, decisions and outcomes are kept in line with the Secure Data Handling and Data Protection Policy and retained for the periods set out in the Records Retention Policy.

You have the right to a copy of any disciplinary or grievance documents that relate to you on request.

15. Related policies

This policy should be read alongside:

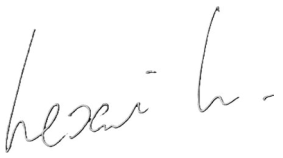
- Safeguarding Policy
- Safe Recruitment Policy
- Bullying and Harassment Policy
- Whistleblowing Policy
- Equality and Diversity Policy
- Reasonable Adjustments Policy
- Secure Data Handling and Data Protection Policy
- Code of Conduct (where applicable)

16. Policy review

This policy is reviewed annually by the Directors, or sooner in response to any change in employment law, statutory guidance, or significant operational learning.

Approval & Review

This policy has been approved on behalf of the Directors:

Elizabeth Amos-Milburn *Co-Director*	**Alexandra Gager-Liebhart** *Co-Director*
	

Date of approval: 18th May 2026

Next review: 18th May 2027

Schedule 1 — Record of Changes

Version	Date	Nature of Change
001	18th May 2026	Initial published version included in the Combined Policies and Procedures 2026 edition.