



Disciplinary Guidelines and Procedures for Misconduct

Our Approach

At Repair & Share Foyle, we value a supportive and positive environment for our employees and volunteers. Our disciplinary procedure is designed to encourage improvement, ensure fairness, and protect everyone involved. This process is not about punishment but about maintaining a respectful, safe, and productive workspace for all.

Informal Resolution

Sometimes, a quiet word or friendly guidance is all that is needed to address minor concerns. If something is not working well, we will aim to resolve it through open and constructive conversations before moving to formal steps. However, if issues persist, or if a matter is more serious, we may move to the formal procedure outlined below.

Fair Investigation

If an issue arises that requires formal consideration, we will take the time to gather all the facts in a fair and balanced manner. This might involve talking to the people involved and reviewing any relevant information. Investigations are purely for fact-finding, and no decisions will be made until all perspectives are considered.

If you need support during an investigation, you're welcome to bring a colleague or another trusted person to help you understand the process. We will always be mindful of accessibility and language needs.

Our Formal Disciplinary & Major Misconduct Process

Our process is guided by principles of fairness, respect, and consistency. If formal action is needed, the steps we take will depend on the nature of the issue.

When taking formal disciplinary action, Repair & Share Foyle will comply with the Statutory Procedures by ensuring that the following steps are taken at all stages of the formal disciplinary process.

Step 1 Statement of grounds for action and invitation to meeting

Repair & Share Foyle will provide you with a written statement of the alleged misconduct which has led to the consideration of formal disciplinary action or dismissal. You will also be informed what the likely range of consequences will be if it is decided after the hearing that



the allegations are true. You will be invited to a hearing to discuss the issue.

Step 2 Meeting

Prior to the hearing you will be informed what the basis was for including in the correspondence under Step 1 the ground or grounds given in it. You will be given a reasonable opportunity to consider your response to that information before any hearing takes place.

An appropriate manager will be appointed to deal with the disciplinary matter and another member of the team or Board may also be present to take notes. At the disciplinary hearing, the representative for Repair & Share Foyle will go through the allegations against you and the evidence that has been gathered. You will be able to respond and present any evidence on your own. The organisation may adjourn the disciplinary hearing if it needs to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

After the meeting the organisation will inform you in writing of the decision and offer the right to appeal.

Step 3 Appeal

If you wish to appeal the organisation's decision you will inform them within five working days of being informed of the disciplinary sanction. Where an appeal is requested, you will be invited to an appeal hearing. The appeal hearing will usually be held within five working days of the request for an appeal.

If you raise any new matters in their appeal, the organisation may need to carry out further investigations (as well as adjourning the appeal hearing). If any new information comes to light the organiser will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing.

After the appeal hearing you will be informed in writing of the organisation's final decision usually within five working days. There will be no further right of appeal.

Minor Misconduct

If the alleged breach falls within the minor misconduct category the organisation will follow the formal procedure outlined above and the following action will be taken if the employer is satisfied that an offence has occurred:



Stage 1 Verbal Warning

It will be recorded and retained on your personal file but will not be considered for disciplinary purposes after 6 months, provided your conduct improves.

Stage 2 Repetition of misconduct

If there is a repetition of the misconduct or breach or in the case of more serious misconduct or breach within 6 months you will be given a first written warning. It will be recorded and retained on your personal file but will not be considered for disciplinary purposes after 12 months, provided your conduct improves.

Stage 3 Continued misconduct

In the case of continued misconduct or breach, or very serious misconduct or breach within 12 months you will be given a final written warning. This will contain a clear notice that any further offence within 12 months may result in dismissal.

Stage 4 In the event of further misconduct or breach within 12 months you may be dismissed.

Statutory Modified Dismissal and Disciplinary Procedure

There may be some limited and very exceptional situations involving alleged acts of gross misconduct where some of the general principles of the Disciplinary Rules and Procedures for Misconduct will not apply.

These situations will be where:

- dismissal is without notice and occurs at the time when the organisation became aware of the misconduct or immediately thereafter;
- the organisation is entitled, in the circumstances, to dismiss by reason of the misconduct without notice and without pay in lieu of notice; and
- the organisation believed that it was reasonable, in the circumstances, to dismiss before enquiring into the circumstances in which the misconduct took place.

In these very exceptional situations the following modified procedure will apply:

Step 1 Statement of grounds for action

The organisation will provide the dismissed employee with:

- A written statement of the alleged misconduct which led to the dismissal, and
- Written particulars on the organisation's basis for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct, and
- A written confirmation of his/her right of appeal against the dismissal.

Step 2 Appeal

- If you wishes to appeal you must inform the employer within 5 working days.
- All appeal requests must be made to the Programme Lead.
- Appeal hearing usually shall be heard usually within 5 working days of receipt of the request.
- You must take all reasonable steps to attend the hearing.
- You have the right to be accompanied at the appeal hearing.
- The result of the appeal hearing shall be notified to you usually within 5 working days of the appeal hearing.

Levels of Misconduct

To keep things simple, we have outlined three levels of misconduct.

Minor Misconduct (e.g., persistent lateness, not following basic procedures)

- First instance: An informal verbal conversation to highlight concerns.
- Repeat issues: A written note with guidance for improvement.

Major Misconduct (e.g., frequent unauthorised absence, inappropriate behaviour)

- A written warning outlining expectations for improvement.
- Further occurrences could lead to a final written warning.

Gross Misconduct (e.g., theft, violence, serious breaches of trust or safety)

- May result in immediate dismissal following a fair review.
- Alternatives to dismissal (such as demotion or reassignment) may be considered if appropriate.

NOTE:

Any allegation of bullying in the workplace or any allegation of discrimination, victimisation or harassment linked to anti-discrimination legislation including gender, gender reassignment, sexual orientation, marriage, civil partnership, disability, race, age, religious beliefs or political opinions will be thoroughly investigated and where appropriate will be dealt with under the disciplinary procedure. The disciplinary response will depend upon the nature and seriousness of the incident and in extreme cases may result in summary dismissal.

Right to Be Accompanied



Individuals involved in formal disciplinary meetings have the right to bring a colleague or volunteer. We encourage open dialogue and want everyone to feel comfortable during these discussions.

Maintaining Confidentiality and Respect

All disciplinary matters will be handled with care and confidentiality. Our goal is to resolve issues fairly while maintaining the trust and well-being of our team.

Adjustments and Support

We are committed to fostering an inclusive and accessible culture. If you require additional support due to a disability, language barrier, or other challenges, we encourage you to speak with your manager or a trusted team member so adjustments can be made.

At Repair & Share Foyle, we believe in teamwork, mutual respect, and continuous improvement. This procedure is here to support a positive and fair working environment for all.