



2021/22

Complaints, Grievance and Disciplinary Policy

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COMPLAINTS, GRIEVANCE AND DISCIPLINARY POLICY

<p>Complaints</p>	<p>We want you to receive the best possible service from Clean Slate. If something happens that you are not happy about, please let us know so we can try to deal with the problem. We hope that most problems can be sorted out by talking to the member of staff concerned. But if that is not possible, you can contact the Chair of Trustees. Your complaint should be in writing, so that we have got a record of it. Please write to the Chair of trustees at: Clean Slate, The Chapel, Brice Road, Heyford Park, Oxon, OX25 5TE</p> <p>The Chair will investigate your complaint and reply within seven working days.</p> <p>If you need help to write your letter, please contact Head Office on 01869 232461 and we will put you in touch with someone who can help e.g., a local advice or information centre.</p> <p>If you are unhappy with the Chair of Trustees reply, you can contact the board of trustees of Clean Slate. Write to them at Clean Slate (address above) and a trustee will investigate your complaint.</p> <p>If this does not resolve the problem, then a panel of trustees will be set up to meet with you. The panel will normally be made up of two or three trustees. They will take appropriate professional advice and the decision of the panel will be final.</p> <p>All complaints will be treated as confidential. However, if you make a complaint against a member of staff or a volunteer, they will have the right to see all the documentation, including your letters.</p>
<p>Grievance</p>	<p>It is Clean Slates policy to ensure that any employee/volunteer/trustee with a grievance has access to a procedure which can lead to a speedy resolution of the grievance in a fair manner. It is intended that both employer and employee/volunteer/trustee should view the use of this procedure in a constructive light. The aim of the Grievance Procedure is to settle grievances fairly and it is intended to operate simply and rapidly. Every effort will be made to resolve the issue at the earliest possible stage, and at each stage efforts will be made to avoid proceeding to the next stage and to settle the issue amicably.</p> <p>Every effort will be made to resolve issues connected with your employment informally to the satisfaction of the individuals concerned. If you have a complaint about a fellow member of staff, you are normally expected to attempt to resolve it by talking directly to the person concerned. If for any reason you feel unable to do this, you should speak to your line manager, who will try to broker an informal resolution to the problem. If the problem is with your line manager, then you should speak to their manager. If it is not possible to resolve the issue informally, you should then proceed to Stage 1 as set out below.</p>

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	<p>In the case of a grievance being taken out as a counter-grievance, cases will be heard in strict chronological order. Each procedure will run sequentially - no procedure may begin until the previous one has been completed.</p> <p>Unless there is good reason for not doing so, a grievance should be raised within one month of the incident to which it refers.</p> <p>At each stage of the procedure, you are entitled to be represented / accompanied by a union representative or by a fellow worker of your choice.</p> <p>The result of each stage will be confirmed in writing.</p> <p>All proceedings and records will be confidential.</p> <p>Stage 1</p> <p>If you have a grievance about your employment, you should first raise it in writing with your line manager, who will invite you to a meeting to discuss the issue within three working days. If the grievance is against your line manager, the matter should be raised with your line manager's manager (in the case of the Chief Executive, this is the Chair of Trustees). After the meeting you will be told of your manager's decision in writing and will be offered the right to appeal.</p> <p>Stage 2</p> <p>If the reply given at stage 1 does not satisfactorily resolve the grievance, you should detail the appeal in writing. The written appeal should then be submitted to the Chief Executive (or in the case of a grievance against the Chief Executive, to the Chair of Trustees), who will arrange a meeting with you within five working days to discuss and investigate your grievance. Within five working days of the meeting, you will be given an initial reply in writing. If it is not possible to give a complete reply at this stage, you will be given a further written reply without unreasonable delay.</p> <p>Stage 3</p> <p>If the matter is not resolved satisfactorily, you may write to the Board of Trustees, who will arrange a meeting with a panel of Trustees to discuss and investigate your grievance. The decision of the panel will be given to you in writing without unreasonable delay after the meeting. This decision is final.</p> <p>Clean Slate reserves the right to revise and reissue these guidelines to comply with any future legislation.</p>
<p>Disciplinary</p>	<p>The procedure</p> <p>Minor faults will be dealt with informally but where the matter is more serious the following procedure will be used. Your manager will investigate the complaint and collect the evidence.</p> <p>You will be told in writing that Clean Slate is considering disciplinary action. You will be invited to attend a meeting with your manager to discuss the complaint.</p> <p>Your manager will consider the case and inform you of the outcome within five working days of the meeting.</p>
<p>Stage 1 - Verbal warning</p>	<p>If your conduct or performance does not meet acceptable standards, after the meeting you may be given a formal verbal warning by your line manager.</p> <p>The warning will be confirmed in writing to you. You will be advised of the reason for the warning, the consequences of non-improvement or further misconduct, that it is the first stage of the disciplinary procedure and of your right of appeal.</p>

	<p>The verbal warning will be kept on your personnel file, but it will be spent and removed from your file after six months, subject to satisfactory conduct and performance.</p> <p>In cases of unsatisfactory performance, you will be given an 'improvement note', setting out:</p> <ul style="list-style-type: none"> • the performance problem • the improvement that is required • the timescale for achieving this improvement • a review date and • any support Clean Slate will provide to assist you. <p>You will be informed that the note represents the first stage of a formal procedure and that failure to improve could lead to a final written warning and, ultimately, dismissal. A copy of the note will be kept and used as the basis for monitoring and reviewing performance over a specified period (e.g., six months).</p>
Stage 2 Written warning	<p>If the offence is a serious one or if a further offence occurs, a written warning will be given to you after the meeting by your line manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept on your personnel file, but it will be disregarded for disciplinary purposes after 12 months, subject to satisfactory conduct and performance.</p>
Stage 3 Final written warning	<p>If there is still a failure to improve and conduct or performance are still unsatisfactory or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal (in effect both first and final written warning), you will be called to a disciplinary meeting chaired by the Chair of Trustees. If proven a final written warning will normally be given to you after the meeting by the Chair of Trustees. This will give details of the complaint, will warn that further disciplinary action which if proven will lead to dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept on your personnel file, but it will be disregarded for disciplinary purposes after 2 months subject to satisfactory conduct and performance.</p>
Stage 4 Dismissal	<p>If conduct or performance is still unsatisfactory and you still fail to reach the prescribed standards, you will be called to a further disciplinary hearing chaired by a trustee which if proven will then result in dismissal with appropriate notice. Only the Chair of Trustees and Board of trustees can take the decision to dismiss. You will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which employment will terminate and the right of appeal.</p>
Gross misconduct	<p>The following list provides examples of offences which are normally regarded as gross misconduct:</p> <ul style="list-style-type: none"> • theft, fraud, deliberate falsification of records • physical violence • serious bullying or harassment • deliberate damage to property • gross insubordination and/or continuous refusal to carry out legitimate management instructions

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	<ul style="list-style-type: none"> • wilful destruction/sabotage of the organisation’s property or any property on the premises • taking part in activities which result in adverse publicity to the organisation or which cause the organisation to lose faith in your integrity • serious incapability through alcohol or being under the influence of illegal drugs • serious breaches of health and safety rules that endanger lives or may cause serious injury to employees or any other person • serious infringements of the IT and internet policy i.e., use of the organisation’s computers to harass, bully, send hate mail or download pornographic or obscene material • serious breach of the confidentiality policy by disclosing sensitive information that has been acquired because of your employment • unauthorised entry to computer records <p>This list is not exhaustive.</p> <p>If you are accused of an act of gross misconduct, you will be suspended from work on full pay, normally for no more than five working days, while the organisation investigates the alleged offence. You will then be called to a formal disciplinary meeting and supplied with copies of all evidence, including signed witness statements if applicable. 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 or payment in lieu of notice. You will receive an explanation in writing of the alleged misconduct that has led to dismissal, including the evidence, and be informed of your right to appeal.</p>
Appeals	<p>An employee/volunteer/trustee who wishes to appeal against a disciplinary decision should inform the Chair of Trustees within two working days. A panel of trustees will hear all appeals and their decision is final. This panel will not include any trustee involved in a previous stage of the disciplinary process. At the appeal, any disciplinary penalty imposed will be reviewed but it cannot be increased.</p> <p>Clean Slate reserves the right to revise and reissue these guidelines to comply with any future legislation.</p>

Change Record

Date of Change:	Changed By:	Comments:
		Policy approved by the Trustees