



**Doohamlet Community & Resource Centre**

## **Disciplinary Policy & Procedure**

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# Doohamlet Community & Resource Centre

## Disciplinary Policy & Procedure

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## 1.0 Policy Statement

- 1.1 Doohamlet Community & Resource Centre (The Centre) is committed to working to maintain an environment that provides a high quality service in an atmosphere of respect, collaboration, openness, safety and equality. All who work, volunteer or provide services in The Centre are expected to adhere to the code of conduct and respect the right of each individual to dignity.
- 1.2 In The Centre, it is essential that certain standards of behaviour and performance are maintained to protect the smooth operation of The Centre and the well-being of its Employees, Volunteers and users. The Centre's Disciplinary Policy and Procedure is designed to ensure fair treatment for those Employees/Volunteers/Service Providers whose attendance, conduct or job performance is below an acceptable level and for those involved in breaches of discipline.
- 1.3 Any breach of The Centre Policies and Procedures or terms and conditions of employment may result in the invoking of the Disciplinary Policy and Procedure.

## 2.0 Who this Policy is For

- 2.1 The purpose of this policy and procedure is to ensure fair treatment for Employees/Volunteers/Service Providers whose attendance, conduct or job performance is below an acceptable level. This policy and procedure applies to all Employees/Volunteers/Service Providers in The Centre.
- 2.2 **Employees/Volunteers:** Representatives of The Centre, employed directly by The Centre, working on employment schemes, or volunteers who support the activities and running of The Centre. These Employees/Volunteers are members of our Operational Committee and will receive induction training and annual refresher training. An Employee/Volunteer should be onsite during all activities/events being held at The Centre.
- 2.3 **Service Providers:** Businesses, Private Interest Groups or Organisations who run or organise activities, meetings or events in The Centre, eg Private businesses, Tutors/Contractors of Government Agencies or Groups/Organisations. Service providers effectively lease facilities from The Centre to deliver their activities, meetings or events. They may operate on a commercial or not-for-profit basis. The Service Provider has responsibility for the operation and supervision of the public attending their activity/meeting/event in The Centre, including responsibility for the Health and Safety, Insurance, staffing and supervision of the activity, meeting or event. The Centre may assist the Service Provider in achieving this. Activities may include but are not limited to music, art, drama, language, dancing classes and sporting activities. Meetings may include, but are not limited to training courses, public meetings,

private meetings etc. Events may include, but are to limited, to performances, experiences and showcases.

In the same way as Employees/Volunteers are required to uphold The Centre's standards of behaviour, Service Providers may operate below the required standard in terms of behaviour and performance and may bring The Centre into disrepute. Where this is the case Service Providers will be subject to this policy and procedure, and if enacted their use of The Centre may be terminated.

### 3.0 Implementing Measures

- 3.1 All Employees/Volunteers/Service Providers of The Centre are obliged to familiarise themselves with The Centre's Disciplinary Policy and Procedure. The policy will be available in The Centre and a copy will be available to download from the website [www.doohamlet.com](http://www.doohamlet.com).
- 3.2 An overview of the policy will be provided as part of induction training for Employees/Volunteers and they will be required to confirm they have been made aware of the policy.
- 3.3 Compliance with the policy is part of the user agreement with Service Providers operating in The Centre. Service Providers are required to sign to confirm they will comply with the policy.
- 3.4 The Centre's Management Committee shall monitor the implementation of and compliance with the policy and will review it on a regular basis.

### 4.0 The Policy

- 4.1 The procedure complies with the general principles of natural justice and fair procedures which include:
  - i. that details of the allegations or complaints be put to the Employee/Volunteer/Service Provider concerned;
  - ii. that the Employee/Volunteer/Service Provider concerned be given the opportunity to respond fully to any such allegations or complaints;
  - iii. that the Employee/Volunteer/Service Provider concerned is given the opportunity to avail of the right to be accompanied by 3<sup>rd</sup> party (the Management Committee also reserves the right to be represented during the procedure as appropriate);
  - iv. that the Employee/Volunteer/Service Provider concerned has the right to a fair and impartial examination of the issues being investigated.
- 4.2 Disciplinary action may include:
  - (a) a verbal warning
  - (b) a written warning
  - (c) a final written warning

- (d) some other appropriate disciplinary action short of suspension without pay (where relevant)
- (e) suspension without pay (where relevant)
- (f) transfer to another task or section
- (g) demotion
- (h) some other appropriate disciplinary action short of dismissal
- (i) dismissal

4.3 Generally, the steps in the procedure will be progressive in the manner outlined in Section 9 below, for example, a verbal warning, a written warning, a final written warning and dismissal. Following a written warning, other appropriate disciplinary action may be considered in individual cases prior to dismissal, e.g. suspension without pay. However, for more serious offences a written warning, final written warning or other sanction may be issued as a first stage in the procedure and an Employee/Volunteer/Service Provider may be dismissed without notice for serious misconduct.

4.4 In addition to any warnings issued (verbal or written), other disciplinary sanctions may be applied and will be proportionate to the nature of the misconduct and the Employee/Volunteer/Service Provider's disciplinary record.

4.5 Warnings will cease to have effect following the specified period of satisfactory conduct and will be disregarded for future disciplinary purposes. There may however be occasions where an Employee/Volunteer/Service Provider's conduct is satisfactory throughout the period the warning is in force only to lapse very soon thereafter. Where a pattern of such conduct emerges the Employee/Volunteer/Service Provider's previous disciplinary record may be borne in mind in determining the disciplinary action.

## 5.0 The Procedure

### 5.1 Approach to Resolution

5.1.1 It is the intention of The Centre to endeavour to resolve problems through informal means. To this end, where appropriate, the line manager or a member of the Management Committee shall discuss any unsatisfactory attendance, conduct or work performance with the Employee/Volunteer/Service Provider and inform the Employee/Volunteer/Service Provider of the required improvements to meet the requirements or standards. If the Employee/Volunteer/Service Provider concerned continues to fail to achieve the required work/conduct standards, the disciplinary procedure outlined below shall be invoked.

5.1.2 In the context of underperformance issues being identified, the Employee/Volunteer/Service Provider shall be encouraged to participate in discussions designed to improve performance (both informal and around the Performance Improvement Protocol). However, if an Employee/Volunteer/Service Provider consistently fails to co-operate with these discussions and/or the underperformance persists, the disciplinary procedure shall be invoked.

## 5.2 Disciplinary Procedure

Depending upon the seriousness of the case and the circumstances surrounding it, the disciplinary procedures may be entered into at any of the stages outlined below. When the Disciplinary Procedure is being enacted, the Employee/Volunteer will be provided with a copy of this policy – if required the Employees/Volunteer may request further training on the Policy.

## 5.3 Confidentiality

All disciplinary matters will be treated in the strictest confidence to the greatest extent consistent with the protection of fair procedures and the legitimate interests of The Centre. Every person involved in any way in a disciplinary process must exercise appropriate discretion and sensitivity at all times. Any breach of confidentiality by any party may, of itself, result in disciplinary action.

## 5.4 Stage 1: Verbal Warning

5.4.1 A verbal warning, which will be issued by the appropriate line manager/Management Committee, will clearly inform the Employee/Volunteer/Service Provider concerned of the standard/conduct that he/she is failing to achieve and that continued, repeated or further failure could result in further disciplinary action. The verbal warning will be issued at a meeting with the relevant line manager/Management Committee Member where emphasis will be placed on establishing the reasons for the failure to meet required standards and on assisting in the prevention of its continuation, repetition or further failure.

5.4.2 A record of the verbal warning will be retained on file and a copy will be given to the Employee/Volunteer/Service Provider. The verbal warning will be active on the file for a period of 12 months. Subject to satisfactory service, the verbal warning will cease to have effect following the expiry of the 12 months and a note to that effect will be placed on the file. (*See Appendix 1 - Record of Verbal Warning Letter*).

## 5.5 Stage 2: Written Warning

5.5.1 If the Employee/Volunteer/Service Provider's attendance, conduct or work performance remains less than satisfactory, notwithstanding the Employee/Volunteer/Service Provider having received a verbal warning at Stage 1, or if there is a further disciplinary issue, or if the Employee/Volunteer/Service Provider's attendance, conduct or work performance warrants proceeding straight to written warning stage, a meeting shall be arranged between the Employee/Volunteer/Service Provider and the relevant line manager/Management Committee Member. A letter of warning will be issued to the Employee/Volunteer/Service Provider containing the following information:

- facts surrounding the misconduct or work standards not achieved;
- The Centre's policy on the rule that was violated or the standards not achieved;
- details of previous meetings;
- statement that the written warning constitutes disciplinary action and failure to achieve the required standards will result in further disciplinary action;
- details of appeals procedure.

5.5.2 A copy of the written warning shall be placed on file. Subject to satisfactory service a written warning shall cease to have effect after 12 months. (*See Appendix 2 - Sample of Written Warning Letter*).

### 5.6 Stage 3: Final Written Warning

5.6.1 If the Employee/Volunteer/Service Provider's attendance, conduct or work performance remains less than satisfactory in relation to that agreed at Stage 2, if there is a further disciplinary issue, or the attendance, conduct or work performance warrants proceeding straight to final written warning stage, a meeting shall be arranged between the Employee/Volunteer/Service Provider and the relevant line manager and /or member of the Management Committee. A final letter of warning, signed by the Chairperson of The Centre will be issued to the Employee/Volunteer/Service Provider making it clear that his/her employment may be suspended or terminated if there is no satisfactory improvement in the Employee/Volunteer/Service Provider's attendance, conduct or work performance or if repeated or further disciplinary issues arise.

5.6.2 A copy of the sanction be placed on file. Subject to satisfactory service a final written warning will cease to have effect after 12 months.

5.6.3 If, after the final written warning has issued, there is no satisfactory improvement or if repeated or further disciplinary issues arise, a further meeting or an investigation will be conducted. (*See Appendix 3 - Sample of Final Written Warning Letter*).

### 5.7 Formal Investigation

5.7.1 The Employee/Volunteer/Service Provider will be provided with reasonable notice in writing to attend an investigation meeting and will be advised of the matters to be discussed at the meeting and of their right to be accompanied by a 3<sup>rd</sup> party to the investigation meeting.

5.7.2 The purpose of the investigation is to find the facts of the matter after which a determination may be made as to whether misconduct or serious misconduct has occurred. Such an investigation can be undertaken either internally by an appropriate line manager/Management Committee member of The Centre or by an external person, at The Centre's discretion.

5.7.3 Failure or refusal on the part of the Employee/Volunteer/Service Provider to cooperate with the investigation may be treated as a disciplinary matter at the stage determined by The Centre to be appropriate to the failure/refusal in the circumstances of the case. An investigation may proceed in the absence of the Employee/Volunteer/Service Provider unless The Centre is satisfied that the Employee/Volunteer/Service Provider has good and sufficient reasons for his or her non-participation in the process. If an investigation proceeds in the absence of the Employee/Volunteer/Service Provider, the Employee/Volunteer/Service Provider will be provided with any relevant documents during the investigation.

5.7.4 In cases where the potential disciplinary action is less than a final written warning, the investigation and any disciplinary hearing may be held by the appropriate line manager at a

single meeting. The appropriate line manager will act reasonably in all cases when deciding on appropriate disciplinary action. (See Appendix 4 - Sample Letter of Notification of Meeting to discuss findings of Investigation).

## 5.8 Disciplinary Hearing

- 5.8.1 The Employee/Volunteer/Service Provider will be provided with reasonable notice in writing to attend a formal disciplinary hearing and will be advised of their right to be accompanied by a 3<sup>rd</sup> party (See Appendix 6 - Sample Letter of Notification of Disciplinary Interview).
- 5.8.2 No decision regarding disciplinary action will be made until the formal disciplinary hearing has concluded and the Employee/Volunteer/Service Provider has been afforded an opportunity to be represented and to respond to the issue.

## 5.9 Suspension

- 5.9.1 If an Employee/Volunteer/Service Provider's attendance, conduct or work performance still fails to improve or if repeated or further disciplinary issues arise, following a final written warning or if the conduct warrants proceeding straight to further disciplinary action short of dismissal, a letter of sanction will be issued to the Employee/Volunteer/Service Provider outlining the disciplinary action and making it clear that his/her employment or use of The Centre may be terminated without further warning or sanction if there is no improvement in the Employee/Volunteer/Service Provider's attendance, conduct or work performance or if repeated or further disciplinary issues arise within 12 months of the start date of the disciplinary action short of dismissal. (See Appendix 7 - Sample Notice of Suspension).
- 5.9.2 A copy of the sanction will be placed on his/her personal file. Subject to satisfactory service the sanction will cease to have effect after 12 months.
- 5.9.3 Should a period of suspension without pay be decided upon as a disciplinary sanction, that period will not be excessive, as determined by, The Centre in the particular case. Where applicable, any deduction from pay will be in accordance with the provisions of the Payment of Wages Act, 1991.

## 5.10 Dismissal

An Employee/Volunteer/Service Provider's attendance, conduct or work performance may warrant immediate dismissal or if their performance still fails to improve or if repeated or further disciplinary issues arise, the final step of the process shall be dismissal. The decision to dismiss an Employee/Volunteer/Service Provider shall be taken by the Management Committee. The decision shall be confirmed to the Employee/Volunteer/Service Provider in writing and this letter shall also outline to whom any appeal against the decision to dismiss should be made. (See Appendix 8 - Sample letter of Dismissal/Summary Dismissal).

## 5.11 Serious Misconduct

5.11.1 Acts which constitute serious misconduct include, but are not limited to, the following:

- theft, fraud and falsification of records including work or organisation records and personal records including academic, professional or technical qualifications;
- misappropriation, stealing or unauthorised disposal of property;
- physical violence, harassment, sexual harassment and bullying;
- breaches of security;
- deliberate or reckless damage to property;
- insubordination;
- misuse of The Centre's property or name;
- bringing The Centre into disrepute;
- behaviour that places work colleagues in danger;
- breach of confidentiality;
- incapability whilst on duty brought on by alcohol or drug use;
- negligence which causes or might cause unacceptable loss, damage or injury;
- deliberate or reckless breach of Employee/Volunteer/Service Provider safety, health and welfare duties;
- deliberate or reckless breach of Employee/Volunteer/Service Provider duties under other The Centre Policies.

***This list is not exhaustive.***

5.11.2 In cases of serious misconduct, the stages outlined in the disciplinary procedure do not normally apply and an Employee/Volunteer/Service Provider may be dismissed without recourse to the previous stages. If there is an allegation of serious misconduct, the Employee/Volunteer/Service Provider may be placed on administrative leave on full pay (Where relevant) pending the outcome of an investigation and disciplinary hearing into the alleged breach of discipline, if The Centre considers administrative leave to be necessary in the circumstances of the case. *(See Appendix 9 - Sample Paragraphs to be included in a Letter of Administrative Leave Pending Investigation)*. The Employee/Volunteer/Service Provider shall be informed that being placed on Administrative Leave is not a disciplinary finding or sanction. The purpose of granting Administrative Leave to the Employee/Volunteer/Service Provider shall be to avoid any potential risk to The Centre, its Employee/Volunteer/Service Providers or any members of the public, or to facilitate the investigation and hearing to proceed and conclude to finding and to decision on sanction where an allegation is upheld. The Administrative Leave with pay shall be for no longer a period than is required to conduct and conclude the investigation and disciplinary hearing and decision-making.

5.11.3 If the investigation upholds a case of serious misconduct, the normal consequence will be dismissal or a termination of their use of The Centre. The decision to dismiss/suspend use shall be confirmed to the Employee/Volunteer/Service Provider in writing and this letter shall also outline details of the appeals procedure.

## 5.12 Appeals

5.12.1 All Employee/Volunteer/Service Providers subject to this disciplinary procedure have the right to appeal against disciplinary action. The appeals process is not intended to repeat the disciplinary process.

5.12.2 An appeal against any disciplinary action should be made, in writing, to the Management Committee of The Centre within 10 working days of the disciplinary action, stating the grounds for the appeal. The Centre shall arrange for a full independent review of the relevant facts to be carried out, which may include a further meeting with the Employee/Volunteer/Service Provider and line manager/Management Committee members concerned. Following this review, The Centre shall reply in writing outlining the outcome of the appeal. A copy of this letter shall be kept on file.

## 5.13 Status Quo Clause

5.13.1 During the course of the Disciplinary Procedure, the Employee/Volunteer/Service Provider shall continue to work, under protest, if necessary. Employee/Volunteer/Service Providers are required to carry out any legitimate instructions, provided such instructions are not contrary to health and safety requirements, and if aggrieved by such instructions to pursue a grievance under The Centre's Grievance Policy and Procedure. Failure to comply with the Status Quo Clause will be considered as a breach of discipline and the disciplinary procedures will be applied.

5.13.2 No industrial action of any form will be taken during the course of the procedure.

## 6.0 General

### 6.1 Employee/Volunteer/Service Providers on Probation

The Centre may extend the probationary period or terminate the probationary Employee/Volunteer/Service Provider's employment during or at the end of the probationary period or extended probationary period where it considers that the Employee/Volunteer/Service Provider's performance and/or conduct has not been satisfactory. If the Employee/Volunteer/Service Provider on probation is considered to be unsuitable, the Employee/Volunteer/Service Provider's employment shall not be terminated without appropriate consideration having first been given by The Centre to the matter. However, the situation will be reviewed during the probationary period and reasonable training will be provided to ensure that the Employee/Volunteer/Service Provider on probation has an opportunity to reach the standards expected. Disciplinary matters in relation to an Employee/Volunteer/Service Provider on probation will be processed by the relevant line manager or Committee member.

### 6.2 Substance Abuse

6.2.1 The policy of The Centre is to provide support and assistance to Employee/Volunteer/Service Providers with alcohol and drug-related problems. Employee/Volunteer/Service Providers with such problems should avail of supports which may be available outside of The Centre and

are required to be honest about such problems in any disciplinary process to which such problems relate.

- 6.2.2 The Centre shall have appropriate regard to the existence of such problems and the willingness of the Employee/Volunteer/Service Provider to avail of appropriate supports, in making any disciplinary decision. However, the existence of such problems will not necessarily excuse alcohol or drug-related misconduct, such as attending for work under the influence of such substances; or taking such substances while at The Centre.

### 6.3 [Criminal Charges or Convictions outside Employment](#)

These are not treated as automatic reasons for dismissal. The main consideration for The Centre shall be whether the offence is one that makes the Employee/Volunteer/Service Provider involved unsuitable for the particular type of work or risks bringing The Centre into disrepute. The Centre shall consider the seriousness of the offence and/or the risk of bringing The Centre into disrepute before determining on appropriateness of disciplinary procedures and sanctions.

### 6.4 [Absenteeism](#)

- 6.4.1 The Centre has an Attendance Management Policy in place outlining the mechanism for reviewing of individual absences. The review mechanisms identified in the policy will be utilised together with the appropriate use of the disciplinary process. However, other disciplinary action measures outside of the disciplinary procedures may be considered and these include:

- temporary removal of uncertified sick leave privilege;
- forfeiture of sick pay;

- 6.4.2 The Centre's disciplinary policy, as outlined above, will be invoked where there is evidence that an Employee/Volunteer/Service Provider has deliberately or recklessly breached The Centre's sick leave guidelines, for example by:

- not reporting sickness in the correct way or
- taking sick leave when he/she is not sick.

Appendix 1: Sample Record of Verbal Warning Letter

***[Only issued after Verbal Warning has been issued]***

**DATE**

Dear

I refer to your attendance at a disciplinary meeting on \_\_\_\_\_ in the presence of your representative \_\_\_\_\_ and ***[outline all in attendance at the meeting]***.

I am writing to confirm the action taken at that meeting when you were given a verbal warning under the first stage of The Centre's Disciplinary Procedure.

This warning will be placed on file and will remain active for a period of 12 months.

The nature of the unsatisfactory conduct/performance was:

***Please insert nature of the unsatisfactory conduct/performance***

The conduct/performance improvement expected is:

***Please insert the conduct/performance improvement expected is***

The time scale within which the improvement required is:

***Please insert the conduct/performance improvement expected is***

The likely consequence of repeated or further misconduct/insufficient improvement is a written warning.

You have the right to appeal against this decision in writing to The Centre, within 10 working days of the date of this disciplinary warning.

Yours sincerely,

## Appendix 2: Sample Written Warning Letter

DATE

Dear \_\_\_\_\_,

I refer to your attendance at a disciplinary meeting on \_\_\_\_\_ in the presence of **[outline all in attendance at the meeting]**.

Having reviewed the submissions made at this meeting I am writing to inform you that you are being issued with a written warning under the second stage of The Centre's Disciplinary Procedure.

The second stage of the Disciplinary Procedure is being invoked at this time as you were given a verbal warning on \_\_\_\_\_/because the seriousness of the unsatisfactory conduct/performance warrants proceeding straight to disciplinary action at this level.

This written warning will be placed on file and will remain active for a period of 12 months.

The nature of the unsatisfactory conduct/performance was:

***Please insert nature of the unsatisfactory conduct/performance***

The conduct/performance improvement expected is:

***Please insert the conduct/performance improvement expected is***

The time scale within which the improvement required is:

***Please insert time scale within which the improvement required is***

The likely consequence of repeated or further misconduct/insufficient improvement is a final written warning.

You have the right to appeal against this decision in writing to The Centre within 10 working days of the date of this written warning.

Yours sincerely,

### Appendix 3: Sample Final Written Warning Letter

DATE

Dear

I refer to your attendance at a disciplinary meeting on \_\_\_\_\_ in the presence of **[outline all personnel in attendance at the meeting]**.

Having reviewed the submissions made at this meeting I am writing to inform you that you are being issued with a final written warning under the third stage of The Centre's Disciplinary Procedure. The third stage of the Disciplinary Procedure is being invoked at this time as you have previously been given a verbal warning on \_\_\_\_\_ and a written warning on \_\_\_\_\_/because the seriousness of the unsatisfactory conduct/performance warrants proceeding straight to disciplinary action at this level.

This final written warning will be placed on file and will remain active for a period of 12 months.

The nature of the unsatisfactory conduct/performance was:

***Please insert nature of the unsatisfactory conduct/performance***

The conduct/performance improvement expected is:

***Please insert the conduct/performance improvement expected is***

The time scale within which the improvement required is:

***Please insert time scale within which the improvement required is***

The likely consequence of repeated/further misconduct or insufficient improvement is suspension/dismissal.

You have the right to appeal against this decision in writing to the Head of Human Resources, within 10 working days of the date of this written warning.

Yours sincerely,

*Appendix 4: Sample Letter of Notification of Meeting to discuss findings of Investigation*

DATE

Dear

I refer to the recent investigation under The Centre's Disciplinary Procedure in relation to ***(insert subject)***.

You are now requested to attend a meeting to inform you of the findings and furnish you with a copy of the investigation report on

<b><i>Insert Date</i></b>	
<b><i>Insert Time</i></b>	
<b><i>Insert Location</i></b>	

You are entitled, if you wish, to be accompanied by a 3<sup>rd</sup> Party Representative.

Yours sincerely,

## Appendix 5: Sample Letters Post Investigation

### A. Sample Letter of Notification of Disciplinary Interview post Investigation

DATE

Dear

I refer to the recent investigation in relation to **(Insert subject)**, the findings of which you were informed of at a meeting on **(Insert date)** and a copy of the investigation report was furnished to you.

You are now requested to attend an interview under The Centre's Disciplinary Procedure on:

<b><i>Insert Date</i></b>	
<b><i>Insert Time</i></b>	
<b><i>Insert Location</i></b>	

Following this interview the question of disciplinary action against you, in accordance with The Centre's disciplinary procedure may be considered with regard to:

***Please identify and insert both the conduct/performance in question and the potential disciplinary action being considered subject to the disciplinary interview).***

You are entitled, if you wish, to be accompanied by a 3<sup>rd</sup> Party Representative.

Yours sincerely,

### B. Sample Letter of Decision post Investigation (not to proceed to Disciplinary Interview)

DATE

Dear

I refer to the recent disciplinary investigation the findings of which you were informed of at a meeting on **(Insert date)** and a copy of the investigation report was furnished to you.

I wish to confirm that further investigation into this matter is not warranted.

Accordingly, Doohamlet Community & Resource Centre now regards this matter as closed.

Yours sincerely,

Appendix 6: Sample Notice of Disciplinary Interview

DATE

Dear

I am writing to advise you that you are requested to attend a disciplinary interview on:

<b><i>Insert Date</i></b>	
<b><i>Insert Time</i></b>	
<b><i>Insert Location</i></b>	

At this interview the question of disciplinary action against you, in accordance with The Centre's disciplinary procedure will be considered with regard to:

***Please identify and insert both the conduct/performance in question and the potential disciplinary action being considered subject to the disciplinary interview.***

You are entitled, if you wish, to be accompanied by a 3<sup>rd</sup> Party Representative.

Yours sincerely

## Appendix 7: Sample Notice of Suspension

DATE

Dear \_\_\_\_\_,

I refer to your attendance at a disciplinary meeting on \_\_\_\_\_ in the presence of ***[outline all personnel in attendance at the meeting]***.

I am writing to confirm that, having considered all of the evidence, I have concluded that you have been:

(a) guilty of a breach of Doohamlet Community & Resource Centre's Disciplinary Policy amounting to misconduct but not serious misconduct.

OR

(b) guilty of a breach of Doohamlet Community & Resource Centre's Disciplinary Policy amounting to serious misconduct. However I am aware of mitigating circumstances.

The nature of the misconduct was:

***Please insert the nature of the misconduct***

Accordingly, your contract of employment with/Use of The Centre is being suspended for a period of ***(Insert number of weeks)***. The period of suspension will be at no pay and will not be reckonable service for increment, promotion, or superannuation purposes.

This letter of suspension will be placed on file but will be disregarded for disciplinary purposes after a period of 12 months provided your conduct improves/performance reaches a satisfactory level.

The likely consequence of repeated/further misconduct or insufficient improvement is dismissal.

You have the right to appeal against this suspension, in writing, to The Centre within 10 working days of the date of this letter.

Yours sincerely

## Appendix 8: Sample Letter of Dismissal/Summary Dismissal

DATE

Dear

I refer to your attendance at a disciplinary meeting on \_\_\_\_\_ in the presence of **[outline all personnel in attendance at the meeting]**.

I note that you have already been issued with a verbal warning on \_\_\_\_\_, a written warning on \_\_\_\_\_ and a final written warning on \_\_\_\_\_.

(Please list any other actions taken (e.g. suspension). \_\_\_\_\_).

The nature of the unsatisfactory conduct/performance was:

***Please insert nature of the unsatisfactory conduct/performance***

I note that in the course of the disciplinary procedure your conduct/performance continuously failed to reach satisfactory levels. **(not applicable where the seriousness of the unsatisfactory/serious conduct/performance warrants proceeding straight to dismissal)**.

In the light of the above I consider that the appropriate sanction is dismissal/termination of use of The Centre.

**OR**

The disciplinary procedure arises from an incident on \_\_\_\_\_ that is considered by The Centre to be an act of serious misconduct. The details of the incident are as follows:

***Please insert details of the incident***

Having investigated the matter and considered all the relevant evidence it is considered that an act of serious misconduct has taken place and that the appropriate sanction is dismissal/termination of use of The Centre.

Accordingly, I confirm that your employment with/use of The Centre is being terminated with effect from today's date.

You have the right to appeal this sanction of dismissal/summary dismissal, in writing, to The Centre stating the grounds of the appeal, within 10 working days of the date of this letter.

Yours sincerely

## *Appendix 9: Paragraphs to be included in a letter of administrative leave pending Investigation*

In order to allow The Centre to investigate the matter fully I confirm that you are placed on administrative leave on full pay, to facilitate the investigation. Your period of administrative leave commences on \_\_\_\_\_ **(Date)** and will continue until the investigation and any resulting disciplinary hearing and decision making is completed. This is not a disciplinary sanction and no finding has been made in respect of the investigation or any disciplinary hearing.

You may be required to attend an interview in the course of the investigation in the near future. You may bring along a 3<sup>rd</sup> Party Representative of your choice to this interview.

Once the investigation has been completed you, together with your Representative will be invited to attend a meeting to inform you of the findings of the investigation and to give you an opportunity to respond.

## Appendix 10: Sample Appeal Decision Letter

DATE

Dear

I refer to the letter issued to you by **(Insert Name & Position)** on **(Insert Date)** informing you of the sanction of dismissal/summary dismissal and that your employment/use of The Centre was being terminated from **(Insert date)**.

I note that that you were afforded the opportunity of an appeal and I note that you appealed this decision on \_\_\_\_\_.

I have examined all the evidence presented to me in respect of this case and I have agreed to uphold the sanction of dismissal/termination of use.

**OR**

I have examined all the evidence presented to me in respect of this case and I have agreed not to uphold the sanction of dismissal/termination of use.

Yours sincerely