

Didcot Railway Centre – Home of the Great Western Society

Disciplinary procedure

Background

This procedure is based on the ACAS Code of Practice¹, which is designed to help employers, employees and their representatives deal with disciplinary situations in the workplace². Disciplinary situations include misconduct and/or poor performance.

The formal disciplinary procedure applies to employees. The principles will also be followed when dealing with the discipline of volunteers.

Purpose and scope

This procedure³ sets out the action which will be taken in disciplinary situations.

Principles

- a) The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- b) At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be represented or accompanied, if they wish, by a colleague.
- c) An employee has the right to appeal against any disciplinary penalty.

The Procedure

Stage 1 – first warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 12 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the Great Western Society Ltd, it may be justifiable to move directly to a final written warning.

Stage 2 – final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within six months, action at Stage 3 will be taken.

Stage 3 – dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

¹ Disciplinary and grievance procedures, Code of Practice 1, ACAS, April 2009

² In situations where the trigger event occurs on or after 6 April 2009, an employment tribunal will consider whether the employer has followed the ACAS Code and, if they have not, then the tribunal may adjust any awards made by up to 25% for unreasonable failure to comply.

³ Discipline and grievances at work, the ACAS guide, November 2009

Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- Unauthorized removal of the Society's property
- Dishonesty
- Sexual misconduct at work
- Fighting
- Physical assault
- Falsification of reimbursement claims
- Theft
- Malicious damage to GWS or Network Rail property
- Trespass on Network rail property
- Failure to comply with the reasonable requirements of your manager, statutory regulation, the Didcot Railway Centre Operating and General Regulations Manual and the Handbook for Volunteers.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by Great Western Society Ltd only after full investigation.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the Company Secretary, Great Western Society Ltd, within 10 working days. The Chairman will hear the appeal and decide the case as impartially as possible.

This procedure (Issue 2) was approved by Council on 13th April 2010.

Ann Middleton
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