

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy:	Disciplinary Policy Less than 2 Years
Date:	7 December 2022
Lead Officer:	Management Team
Review Date:	26/04/2025

Standard 5 The RSL conducts its affairs with honesty and integrity.

Guidance 5.1 The RSL conducts its affairs with honesty and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector.

5.2 The RSL upholds and promotes the standards of behaviour and conduct it expects of governing body members and staff through an appropriate code of conduct. It manages governing body members' performance, ensures compliance and has a robust system to deal with any breach of the code.

5.3 The RSL pays due regard to the need to eliminate discrimination, advance equality and human rights, and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.

5.4 Governing body members and staff declare and manage openly and appropriately any conflicts of interest and ensure they do not benefit improperly from their position.

5.5 The governing body is responsible for the management, support, remuneration and appraisal of the RSL's senior officer and obtains independent, professional advice on matters where it would be inappropriate for the senior officer to provide advice.

5.6 There are clear procedures for employees and governing body members to raise concerns or whistleblow if they believe there has been fraud, corruption or other wrongdoing within the RSL.

5.7 Severance payments are only made in accordance with a clear policy which is approved by the governing body, is consistently applied and is in accordance with contractual obligations. Such payments are monitored by the governing body to ensure the payment represents value for money. The RSL has considered alternatives to severance, including redeployment.

5.8 Where a severance payment is accompanied by a settlement agreement the RSL does not use this to limit public accountability or whistleblowing. The RSL has taken professional legal advice before entering into a settlement agreement.

Contents

1. Introduction.....	3
2. General Data Protection Regulations:.....	3
3. Equal Opportunities	3
4. Policy Principles:.....	4
5. First Stage - Informal Action	5
6. Second Stage - Formal Process	5
7. Records	6
8. Appeals	6
9. Review Period	6

1. Introduction

The purpose of this policy is to help and encourage you to achieve and maintain standards of conduct, attendance and performance.

We need to make you aware of our expected standard of conduct, performance and attendance whilst you work for us. If you don't adhere to these standards then we will consider treating any breaches under our disciplinary procedure.

This procedure applies to all employees who have less than two years' service. Thereafter a disciplinary procedure for employees with more than two year service applies.

2. General Data Protection Regulations:

Any information that we hold regarding an individual must be treated lawfully and correctly in line with the safeguards outlined in the General Data Protection Regulation 2016 (GDPR) which requires data to be:

- lawfully, fairly and transparently processed
- processed for limited purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed
- accurate and kept up to date
- kept no longer than the period necessary and
- kept securely against unauthorised or unlawful processing and protected against accidental loss, destruction or damage.

The processing will be carried out in a way that ensures compliance with the rights of data subjects, including:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure (so far as applicable)
- the right to restrict processing
- the right to data portability (so far as applicable)

- the right to object to processing (including profiling); and
- the right not to be subject to fully automated decision-making including profiling.

Further information is available by viewing the Association's Privacy Policy.

3. Equal Opportunities

As an employer, Clydesdale Housing Association encourages equality of opportunity. In particular the observance of equal opportunity requirements as specified in the Equality Act 2010.

We do not discriminate against any member of staff in any way either directly, indirectly or by association because of their age, disability, gender identify (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

4. Policy Principles:

- To ensure that you know the expected standards in respect of conduct, performance and attendance while working for us.
- To manage you in accordance with the procedures detailed in the policy should they fall short of our expected standards.
- We will not take any action without giving you the chance to state your case, and a reasonable investigation has taken place
- If we think you may have committed a very serious breach of discipline we may suspend you on full pay whilst the matter is being investigated
- If any action is taken against you (other than dismissal), we will make clear standards of improvement required and the timescale within which we want this to be achieved
- You will have a right of appeal if any formal action is issued to you.

Clydesdale Housing Association wishes for all staff to maintain the highest possible standards of attendance, conduct and performance and our disciplinary procedure is here to help achieve this.

We expect that you will:

- Be honest and transparent in all aspects of work for us.
- Treat all colleagues, clients, partners and anyone in connection with working for us with respect and tolerance.

- Not abuse Clydesdale Housing Association's facilities.
- Not disclose confidential company information.
- Be frank and upfront about any commercial interests you may have in any business that we deal with.
- Not publish or profit from any work done within Clydesdale Housing Association as this belongs to us until such time as we give permission for its use.
- Not accept any gift, favour or inducement from organisations or individuals in connection with us.
- Be loyal and ask permission before taking up any other paid work – particularly if this in any way affects their ability to do their job for us.
- Follow all policies, procedures and aims regardless of any personal or political beliefs you may hold

Our separate "Code of Conduct" gives more details with respect to the standards of conduct expected from staff. If you are in any doubt staff should please speak to your line manager.

There are 2 stages of this procedure:

5. First Stage - Informal Action

If your performance, conduct or attendance do not meet required standards then your line manager will meet with you informally in the first instance. He/she will discuss this with you and confirm any improvements sought and help on offer by way of an improvement note.

Example offences that may result in an informal action in the first instance. The list below is not exhaustive:

- Poor timekeeping and/or attendance
- Minor breaches of our policies
- Below expected performance of your duties
- Minor insubordination
- Poor attendance

6. Second Stage - Formal Process

If there is another issue with your performance, conduct or attendance following the informal action, or if the matter is serious, then your line manager will

investigate into this and may invite you to a formal meeting. This meeting may result in termination of your contract of employment.

You will be invited to this meeting in writing and given the right to be accompanied by a workplace colleague or a trade union rep. You will also be informed of the outcome in writing and given the right to appeal.

7. Records

We will keep records on your personal file of any disciplinary action, which will only be seen by you, your line manager and the senior officer if appropriate. It is the responsibility of your manager to make sure that disciplinary warnings are removed from your file when relevant.

8. Appeals

You have the right of appeal against any formal disciplinary action. We will tell you in writing when and how you can use this right when the warning is issued. The letter will detail who you must write too, to lodge your appeal and within what timeframe.

No person involved in the original disciplinary decision should take part in the appeals hearing unless it is not possible to avoid this

At all levels, appeal hearings will be entitled to:

- Confirm previous action;
- Dismiss previous action; or
- Substitute a lesser penalty.

The outcome of the appeal hearing is final.

9. Review Period

We will review the Policy every three years or sooner if required by statutory, regulatory or best practice requirements.

Approved by the Committee of Management on: 7 December 2022	
Signed: Secretary/Chairperson	Signed: Chief Executive/Senior Staff Member