

WEST SUSSEX GUITAR CLUB  
("The Club")

**Grievance and Disciplinary Procedure**  
**February 2015**

**Updated August 2023**

**1. Applicability**

- 1.1 These procedures apply to all Members and Employees of the Club which is a registered charity. Charity number: 1158199 and operates principally at 44-46 Sudley Road, Bognor Regis, West Sussex, PO21 1ER.
- 1.2 Any reference to 'he', 'him' or 'his' shall be construed as 'she' or 'her' as appropriate.
- 1.3 "Member" shall include any person attending the Club.
- 1.4 "The Club" is the West Sussex Guitar Club.

**Grievance procedure**

**2. The procedure**

- 2.1 If the Member or Employee of the Club has any grievance against any person working for or a Member of the Club, that person ("the Aggrieved") may seek redress in writing in the following manner:
  - 2.2 In the first instance, the Aggrieved should raise the issues in writing with a Trustee of the Club for the time being (or if the grievance is against a particular Trustee, any other Trustee for the time being), the matter will be discussed informally with the Aggrieved within seven days of the request.
  - 2.3 If the grievance is not thereby resolved or if the Aggrieved considers that he has not been fairly treated, the Aggrieved may request that the matter be dealt with formally. In such circumstances, a meeting shall be arranged between the Aggrieved and the Trustee within seven days of the request being made and shall give a response to the grievance within a further seven days.
  - 2.4 If the grievance is still not resolved or if the Aggrieved still considers that he has not been fairly treated, the Aggrieved may appeal in writing to a Trustee of the Club not previously involved, within seven days of the response being provided to the Aggrieved.
- 2.5 At any stage of the grievance procedure the Aggrieved has the right to be accompanied by a fellow Member or Employee or trade union official who has been reasonably certified by their union as having experience of, or as having received training in, acting as a companion at grievance hearings. Such person may present the Aggrieved's case, sum up and respond on the Aggrieved's behalf to any view expressed at a hearing.

**Disciplinary procedure**

**3. Suspension with Pay**

- 3.1 The Club reserves the right to suspend the Aggrieved (where appropriate, with pay or with no pay) whilst it investigates the Aggrieved's conduct or for any other purpose connected with the application of its disciplinary procedure, if employed. The Aggrieved suspended under

this power is entitled if appropriate, to be paid at his basic rate during the period of suspension where appropriate

#### 4. Gross Misconduct

4.1. The Club reserves the right in its discretion to exclude a Member from the Club either permanently or for such period as the Club decides or to suspend for such period as it shall decide (whether with or without pay) or dismiss summarily a Member guilty of gross misconduct. The following are examples of gross misconduct:

- 4.1.1 Theft, fraud and deliberate falsification of records;
- 4.1.2 Physical violence;
- 4.1.3 Serious bullying or harassment;
- 4.1.4 Deliberate damage to property of the Club, fellow employees or on the premises;
- 4.1.5 Serious insubordination;
- 4.1.6 Misuse of the Club's property or name;
- 4.1.7 Bringing the Club into disrepute;
  - 1. Serious incapability during any period an Employee or Member is required to work by the Club brought on by alcohol or illegal drugs;
  - 2. Serious negligence, which causes or might cause unacceptable loss, damage or injury
- 4.1.10 Serious infringement of Health and Safety rules;
- 4.1.11 Serious infringement of the Internet and Intranet policy of the Club;
- 4.1.12 Serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998)

The above list is not exhaustive. Gross misconduct is any conduct which is of a serious nature going to the basis of the Member's or Employee's relationship with the Club..

#### 5. Sanctions

5.1 With the exceptions of the cases of gross misconduct, following a first breach of discipline the Member or Employee will be given an oral warning (confirmed by letter), or in the case of more serious misconduct, a written warning, setting out the circumstances giving rise to the complaint. Details of the warning will be recorded in the records relating to the Member or Employee. The Employee shall be given a specific time in which to improve and will be told that the warning constitutes the first formal stage of the formal disciplinary procedure.

5.2 If in a case where a warning has been given, the conduct of the Member or Employee complained of is repeated, or continues, or the Member or Employee falls below the standard reasonably expected of him in some other way, a warning in writing will be given where the first warning was oral. This warning will set out the circumstances in which it is given and will be recorded by the Club records relating to the Member or Employee and the Member or Employee shall be given a specific time in which to improve. The Employee will be informed in writing that the warning is given in accordance with the disciplinary procedure.

5.3 If, after a written warning has been given, the conduct complained of is repeated or continues, or the Member or Employee falls below the standard reasonably expected of him in some other way, a final written warning will be given. This will state that any further breach of the Club's disciplinary rules could lead to suspension or dismissal. The warning will be recorded in the Club's records relating to the Member or Employee,

5.4 If notwithstanding the final written warning the conduct complained of continues, or is repeated or the Member or Employee falls below the standard reasonably expected of him in some other way, the Club may suspend or dismiss the Member or Employee. In a case where a Member or Employee is suspended, the suspension shall be an appropriate with or without pay and for such period, as the Trustees (or a majority thereof) of the Club shall decide.

5.5 Warnings given to the Member or Employee shall cease to have effect one year after they have been given if during that period ,no further disciplinary action has been taken against the Member or Employee although they will be recorded by the Club.

6. The procedure

- 6.1. No disciplinary action will be taken against the Member or Employee without that Member or Employee having the opportunity at the disciplinary hearing to explain his version of what took place.
- 6.2. Prior to any disciplinary hearing, the Member or Employee will be notified in writing at the Member or Employee's home address or last known address, of the allegations against him and that the Member or Employee has the right to be accompanied by a fellow worker or trade union official who has been reasonably certified by their union as having experience of or as having received training in acting as a Member or Employee's companion at disciplinary hearings. Any such person accompanying the Member or Employee has the right to present the Member or Employee's case, sum up and respond on the Member's or Employee's behalf, provided that he or she does not do so in a manner designed to disrupt or hinder such hearing, but does not have the right to answer questions on the Member or Employee's behalf.
- 6.3. A Trustee of the Club will conduct a disciplinary hearing.
- 6.4. The Member or Employee will have the opportunity to explain his version of events and to call witnesses.
- 6.5. The Member or Employee will be informed of the outcome of the hearing either when it concludes or as soon as reasonably practicable thereafter. The decision and reasons for it will be confirmed in writing.
- 6.6. If the Member or Employee is dissatisfied with the outcome at any stage of the disciplinary hearings, he should notify a Trustee of the Club in writing that he wishes to appeal. In his notice, he should set out a summary of his grounds of the appeal. This should be done within two working days of the Member or Employee being notified of the outcome of the disciplinary hearing.
- 6.7. If the Member or Employee does appeal, the person conducting the disciplinary hearing will arrange for a written report of the disciplinary hearing to be prepared for the appeal hearing and a copy will be supplied to the Member or Employee.
- 6.8. The appeal hearing will be conducted by a Trustee of the Club not previously involved.
- 6.9. An appeal hearing will be arranged as soon as reasonably practicable.
- 6.10. The decision of the appeal hearing may confirm the original disciplinary decision, quash that decision or substitute another in place.
- 6.11. The Member or Employee will be informed of the outcome of the appeal hearing within seven working days of the date of the hearing.
- 6.12. The decision of the following the appeal hearing will be final and binding on all parties. A short note of the reason for the decision will be given to the Member or Employee.

Dated February 2015

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