



**South London Botanical Institute**  
**Staff Disciplinary & Grievance Procedures (2016 version)**

**1. DISCIPLINARY RULES**

Any grievance arising from any disciplinary decision concerning your employment should in the first instance be raised verbally with immediate line manager. See page 2.

**2. GRIEVANCE, DISPUTES AND DIFFERENCES**

Steps for dealing with issues or grievance you may have arising from or relating to the employment to which this statement relates should, in the first instance, be raised with immediate line manager. If it cannot be resolved informally, the following steps should be taken. See page 4.

# **1 DISCIPLINARY PROCEDURE AND RULES**

(This procedure does not form part of the Contract of Employment)

1.1 In the interest of the effective control of the business and good morale of employees, the employer has the right to discipline those employees who do not, to the best of their ability, carry out their duties and responsibilities, or whose standard of behaviour falls below an acceptable level or causes injury to the Institute's reputation. The Institute will ensure that where discipline is necessary it will be applied fairly and consistently.

1.2 Where there is cause to take disciplinary action against an employee the employer shall inform the employee, in writing, giving notice of the date and time on which a disciplinary hearing will be held. The notice will contain details of the complaints against the employee and will advise of the right to be accompanied at the hearing by a work colleague, Trade Union Official or friend.

**N.B. The employer will not take any disciplinary action before carrying out an investigation into the matter for which the disciplinary hearing is to be held.**

1.3. In normal circumstances disciplinary action will comprise:

1.3.1 a written warning (with the right of appeal),

1.3.2 a final written warning (with the right of appeal),

- dismissal (with the right of appeal),

- Employees wishing to appeal against a disciplinary decision must write to the employer within seven days of receipt of the employer's decision setting out the grounds for the appeal. Appeals should be dealt with by a Trustee who has not been involved in the discipline procedure and must take the form of a further meeting at which the employee may be accompanied by a work colleague, trade union official or friend. The employer's decision shall be final and the employer shall notify the employee of this in writing.

### **SERIOUS MISCONDUCT**

1. In the event that the Institute deemed the misconduct to be serious a final written warning may be issued.

### **GROSS MISCONDUCT**

1.5. In certain circumstances the conduct may be so serious as to be referred to as gross misconduct. In such circumstances the first two stages of the disciplinary procedure, written warning, and final written, may be omitted and the employee may be summarily dismissed.

1.6. Set out below is a list, although not exhaustive, of behaviour, which will be considered by the Institute to be gross misconduct:

- being under the influence of alcohol or other stimulants or drugs during working hours to the extent that personal competence and ability is impaired,
- physical assault on a fellow employee,

- violent, disorderly or indecent conduct,
- deliberate damage to property,
- theft, fraud or falsification of Institute records, documents or time sheets,
- serious breach of confidence (subject to the Public Interest (Disclosure) legislation)
- removal from Institute sites or other premises of property belonging to the Institute, fellow employee, client, subcontractor or supplier without the approval of the employer,
- serious breach of the Institute safety policy rules or regulations,
- bringing employer into serious disrepute,
- acts of incitement to or actual acts of discrimination on grounds of sex, race, religion, colour, ethnic origin or disability,
- serious bullying or harassment,
- serious negligence resulting in loss or damage,
- serious insubordination,
- misuse of the Institute's or client's property or name.

1.7. Summary dismissal means termination of employment without notice. In such circumstances where a gross misconduct is alleged to have occurred the Institute will instruct the employee to leave the place of work and that he or she will be suspended on full pay whilst an investigation is carried out.

## **2 GRIEVANCE PROCEDURE AND RULES**

(This procedure does not form part of the Contract of Employment)

1. All matters of governance of the SLBI fall ultimately to the Trustees. You have the right to approach Trustees through the Chair of the SLBI directly in the event that a disciplinary or grievance cannot be resolved with your immediate supervisor.
2. An employee who has a grievance in respect of his or her employment may, in the first instance, raise the matter informally with his or her immediate manager.
3. If the employee is dissatisfied with the response from his or her immediate manager, or does not wish to raise the latter informally, the employee should put details of the grievance in writing. This must be put to a Trustee of the Institute and include full details of the grievance.
4. The employer shall, within a reasonable time, arrange a meeting with the employee so that the grievance can be discussed and the employer shall write to the employee with his decision regarding the grievance.

5. If the employee is dissatisfied with the decision of the employer then the employee may write to the employer within 7 days of receipt of the employers written decision explaining why and request an appeal.
6. Where an employee requests an appeal, under 2.4 above, the employer shall, within a reasonable time, arrange another meeting with the employee so that the matter can be further discussed. The appeal should be dealt with by a Trustee who has not been previously involved in the matter. The employer's decision shall be final and the employer shall notify the employee of this in writing.
7. Grievances not referred to the employer within the timescale set out in this procedure will be disallowed.
8. The employee has the right to be accompanied by a work colleague, Trade Union Official or friend at stages one and two of the formal procedure. (2.3 & 2.5)

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