

INAPPROPRIATE CONDUCT PROCEDURE

This procedure outlines the approach we will take should a member of staff/volunteer breach the code of conduct.

We will aim to ensure that workers within the group are supported and are clear about appropriate and inappropriate conduct. When minor breaches of conduct occur we will discuss these with the individual and monitor the situation to ensure the behaviour does not continue.

However, in the event that this behavior continues or in the event that there is an act of gross misconduct the procedure below will be followed

GROSS MISCONDUCT

Any of the following would constitute gross misconduct:

- Theft from any worker/volunteer /helper or child in the group
- Physical or verbal violence or abusive behaviour towards any worker /volunteer/ helper or child in the group
- Misappropriation of funds, including falsification of expense claims
- Harassment of any worker/volunteer / helper or child in the group
- Serious incapability through alcohol or being under the influence of illegal drugs
- Serious negligence which causes inappropriate risk, unacceptable loss, damage or injury

If a member of staff/ volunteer is thought to have committed serious misconduct we reserve the right to suspend them from continuing working with the group, while the case is investigated.

In the event that this behaviour has harmed a child or put a child at risk and, as a result a decision is taken to permanently dismiss or moved the individual away from contact with children we will report the individual to the Disclosure Scotland to be considered for inclusion on the list of people barred from working with children in line with our legal requirements under The Protection of Vulnerable Groups (Scotland) Act 2007.

In addition we will refer the situation to Shetland Islands Council, through the Duty Social Worker.

THE PROCEDURE

Stage One

Every effort will be made through discussion with the individual to ensure that the breach of conduct is rectified. However, should the inappropriate behaviour continue stage 2 of this procedure will be implemented.

Stage Two

Written Warning

If there are still grounds for dissatisfaction, the Committee/ management team will hold a formal interview with the member of staff/volunteer.

The member of staff / volunteer will be given written notice of this interview, stating the grounds for dissatisfaction, and he/she has the right to bring a non-legal representative to this interview.

Following the interview the member of staff/ volunteer and their representative will withdraw whilst a decision is made.

If the grounds for dissatisfaction are upheld at this interview, a formal written warning will be issued. This warning will detail what action the volunteer will must take to improve their conduct and performance.

If sufficient progress has been made no further action will be needed.

Stage Three

Dismissing a member of staff/ volunteer

If conduct or performance is still unsatisfactory and the member of staff/ volunteer still fails to reach the standards required, dismissal will normally result. Only the Committee members/ management team can

take the decision to dismiss. The member of staff/ volunteer will be provided, as soon as reasonably practicable, with written reasons for their dismissal, the date on which their contract will finish (if applicable) and the right of appeal.

APPEALS

At every stage in the procedure the member of staff / volunteer will be advised of the nature of the complaint against him/her and will be given the opportunity to state his or her case before any decision is made.

If the member of staff/ volunteer wishes to appeal against any decision, they must appeal in writing to a member of the Committee / management team.

The Committee members / management team will consider the appeal and make a decision on the matter, that decision will be final.¹

Organisation

Adopted by

Date

¹ Adapted from the Shetland Befriending Scheme procedures.