



**Accountable
Now**

GLOBAL STANDARDS LOCAL TRUST

Disciplinary Policy and Procedure



1. Introduction

Accountable Now requires their staff to perform their duties in accordance with their terms of employment, set out in their contract, in the International Civil Society Centre's Office Handbook and also in Accountable Now's Code of Conduct. The Code of Conduct makes reference to all the policies and procedures established by the organisation. These are available on shared drives and online.

Accountable Now's goal is to provide a safe, enjoyable and productive working environment for all its staff and any other person that works with and for the organisation. In accordance with the Code of Conduct, staff are trusted to use their common sense regarding work performance and behaviour, and their good judgement in achieving and maintaining high standards of conduct while at work or on business, in attendance, quality and quantity of work and interaction with colleagues and other stakeholders.

Accountable Now's Executive Director and the team have a responsibility to see that our standards are maintained by agreeing on clear objectives and development opportunities with staff and offering training, guidance and support when required. Nonetheless, where staff fall short, Accountable Now reserves the right to take action. This is done in accordance to this policy.

In carrying out any disciplinary process, Accountable Now is committed to the principles of objectivity and confidentiality, and ensures no repercussions for those involved.

2. Definitions

- **Misconduct**: unacceptable or improper behaviour, especially by an employee or professional person as specified in the Accountable Now Code of Conduct and Centre handbook.
- **Minor misconduct**: working inefficiently or not delivering work on time.
- **Gross misconduct**: Accountable Now considers the following as gross misconducts:
 - a. Sexual exploitation and abuse
 - b. Racial, sexual or disability discrimination.
 - c. Harassment
 - d. All forms of exploitation and abuse
 - e. Fraud and corruption, including falsification of records, expense claims, plagiarising documents, among others.
 - f. Theft or misappropriation of Accountable Now's property.
 - g. Wilful damage to Accountable Now property.
 - h. Fighting or physical assault on staff members, volunteers, Board members, members of the public, whether on business or on your own private time.
 - i. Serious negligence which causes Accountable Now unacceptable loss or injury.
 - j. Theft of a Accountable Now staff member's property

Approved by the Board on 05 April 2016



If after an investigation and hearing is undertaken Accountable Now and the International Civil Society Centre –as the formal employer- are satisfied that gross misconduct has occurred then the result will normally be summary dismissal without notice or payment in lieu of notice.

3. Principles

- All instances of alleged gross misconduct will be investigated and a decision made as soon as possible.
- No staff member will be dismissed for a first breach of discipline except in the case of gross misconduct where the penalty will be dismissal without notice or payment in lieu of notice.
- Prior to formal hearings and an investigation, staff will be informed about the nature of the complaint against them in writing. They will be invited to a meeting and will be given the opportunity to state their case before any decision is made.
- At all stages of the formal procedure a staff member will have the right to be accompanied by a work colleague.

4. Informal Stage

For all minor problems, informal discussions between the staff member and their immediate line manager will take place. During this stage, the employer will develop a work plan with the employee to work towards improving their performance. This work plan shall include clear deliverables and expectations so that progress can be tracked.

Line managers can seek the support and advice of the Executive Director if they are unsure how to address the issue.

In some circumstances, where, after the informal stage has been completed, and the required improvement has not been achieved or sustained, a staff member may be informed that the formal procedure will be initiated.

5. Formal Disciplinary Procedure

A full and thorough investigation into allegations of gross misconduct will be carried out. The purpose of the investigation is to establish facts and to decide if it is appropriate to establish a disciplinary procedure.

If a disciplinary procedure is conducted then it will be arranged without undue delay and the staff member will be notified in writing. Such notification will include a clear statement of the allegations/complaints which have been investigated and copies of any relevant information. If

Approved by the Board on 05 April 2016



the process involves actions regarded as gross misconduct then the staff member must be notified that the process may result in his/her dismissal.

Staff must be informed of the date and place of their hearing at least one week in advance.

Formal disciplinary hearing

In all cases a formal hearing should be held within seven days where possible and concluded within one month. The purpose of the hearing is to establish the facts of the case, to give the staff member the opportunity to state their case and to reach a decision on the basis of the information that is available.

When the evidence has been presented, the hearing will be adjourned and the manager responsible for making the decision will decide whether or not the allegations have been substantiated. A decision will be made on the basis of the evidence, the seriousness of the misconduct, and any current warnings.

Courses of action include: no action, or to issue a disciplinary sanction, including immediate dismissal.

Dismissal due to Gross Misconduct

A non-exhaustive list of actions that constitute gross misconducts is available in the Code of Conduct. If there is an incident that is regarded as gross misconduct, dismissal will normally be the result. Only the Centre's Deputy Director and Accountable Now's Executive Director with the agreement of the Chair of the Board can ratify the decision to dismiss.

The staff member will be provided in writing the reason for dismissal and the date on which their employment will be terminated.

6. Safe keeping of paperwork and documents

All paperwork in connection with an allegation, investigation and findings will be held in a confidential file, separate from staff personnel files.

Where a disciplinary penalty is awarded, a copy of the decision letter will be placed on the member of staff's personnel file and removed after 7 years (in line with German law).

Approved by the Board on 05 April 2016