



Disciplinary Policy

The following sections are included in this policy document:

1. Confidentiality
2. Informal Procedure
3. Volunteer's Right to be Accompanied
4. Investigations
5. Suspension
6. Notification of a Disciplinary Hearing
7. Disciplinary Hearing Procedure
8. Formal Disciplinary Sanctions
9. Timescales of Written Warnings and Dismissals
10. Appeals
11. Criminal Offenses
12. Overlapping Grievance and Disciplinary Matters
13. Examples of Misconduct
14. Examples of Gross Misconduct

Disciplinary Policy Aims

This Disciplinary Policy and Procedure is designed to help and encourage volunteers to achieve and maintain satisfactory standards of conduct, attendance, and job performance. It aims to deal with instances of misconduct and to provide a framework within which Trustees can work with volunteers to encourage improvement where necessary, and to ensure the consistent and fair treatment of all volunteers in dealing with matters relating to:

- misconduct (e.g. unacceptable behaviour or non-compliance with standards).
- capability or performance (e.g. where volunteers who, despite support and adequate training, do not deliver the required level of performance).
- attendance (e.g. unacceptable sickness levels or other reasons relating to poor attendance).

Spirit of Endeavour ("the Charity") expects all volunteers to work within the Charity's rules and procedures. All volunteers have a responsibility to conduct themselves in an appropriate and professional manner in accordance with the Volunteers' Code of Conduct and cooperate in the application of this procedure.



All disciplinary matters will be dealt with fairly. The Charity will ensure that steps are taken to establish the facts and to give volunteers the opportunity to respond before any formal action is taken.

1 Confidentiality

- Disciplinary matters will be dealt with sensitively and take into consideration the privacy of the individuals involved wherever possible.
- All volunteers must treat any information communicated to them in connection with an investigation or disciplinary matter as confidential. Failure to do so may result in disciplinary action in itself.
- Any individual/s found to have made electronic recordings of any meetings or discussions, whether informal or formal, without prior authorisation, will be subject to disciplinary action.

2. Informal Procedure

Misconduct and / or performance problems should be raised and dealt with promptly by both the Charity and volunteers. In promoting and maintaining good relations, a Trustee will, where appropriate, initially attempt to resolve matters informally through support and good management practice by means of discussion between Trustee and volunteer.

- Informal discussions will be held in private and as soon as reasonably practicable to address any issue/s for concern, expected outcomes, and improvement timescales.
- Any necessary support or training will be agreed, and arranged. The volunteer is expected to respond positively to any required development.
- In some cases, an informal verbal warning may be issued, for which a record of the discussions held will be kept on file in the form of a recorded conversation or advice letter. Informal records may be reviewed as part of a performance review and / or when considering informal or formal action in future.
- For situations where an informal approach is not working, or where the allegation is more serious than initially understood and informal discussion is no longer considered appropriate, formal steps will be taken under this policy and procedure.

3. Volunteer's Right to be Accompanied

Spirit of Endeavour (Yorkshire) CIO – charity number 1194409

Disciplinary Policy – version 1, approved 20th January 2026, next review 2027



- Volunteers have the right to bring a companion to any formal stage disciplinary hearing or appeal hearing, excluding the investigation stage.
- There is no right to be accompanied prior to a formal stage disciplinary hearing.
- The volunteer must inform the Charity of their proposed companion in good time to allow arrangements for the companion to attend.
- The volunteer may be requested to identify an alternative companion where the first choice of companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days.
- The volunteer has a right to propose an alternative date and time for the disciplinary hearing if their companion is unable to attend at the proposed time, provided that the alternative time is both reasonable and within the following five working days of the initial proposed meeting date.
- The volunteer's companion will be allowed to address the hearing to summarise and put forward the volunteer's case, respond on behalf of the volunteer to any views expressed, and confer with the volunteer during the hearing.
- The companion does not have the right to answer questions on the volunteer's behalf, address the meeting without the volunteer's consent or prevent the volunteer from explaining their case.
- The chosen companion should not be involved in the case (e.g. they should not have been part of the investigation or witnessed any incident, if they have, they are deemed to have been involved in the matter).

4. Investigations

The purpose of an investigation is to establish the facts of the case before deciding whether to proceed to any disciplinary hearing. The level of investigation required will depend on the nature of the allegation/s and will vary from case to case.

- Investigations may involve interviewing and taking statements from the volunteer as well as any identified witnesses, and may involve reviewing any relevant documents and / or the collation of evidence. Any evidence will be collated as soon as practicable after the incident, any physical evidence should be collected, and statements taken from witnesses at the earliest opportunity.
- Volunteers are expected to fully cooperate during all investigation meetings and will be afforded the opportunity to respond to any allegation/s made. This may involve informing the Charity of potential witnesses, disclosing any relevant documents for review, and attending any investigation meetings as required.



- During investigations meetings volunteers do not have the right to be accompanied by a companion. Investigations can be arranged at any time and without notice.
- Once the investigation is complete, a decision will be made as to the appropriate action to be taken. The outcome will usually be confirmed in writing and may be as follows:
 - ▪ take no formal action (this could be verbally confirmed).
 - ▪ a support package to deal with the matter on an informal basis.
 - ▪ recommend that the Charity proceeds to a disciplinary hearing.
- The employee will be informed of any decision to proceed to a disciplinary hearing, in writing, as soon as practicable.
- Any sanctions imposed would only be issued following any disciplinary hearing that has been held, and if deemed appropriate.

5. Suspension

In some circumstances, depending on the nature and seriousness of the case, the Trustees may decide to suspend a volunteer from the workplace.

- Any period of suspension will be for a period that is no longer than necessary to investigate any allegation/s, or for so long as any disciplinary procedures against a volunteer are outstanding.
- Suspension is sometimes necessary for a number of reasons, for example, to allow for a 'cooling-off period' for both parties, for matters involving police or external authorities, to prevent possible interference with evidence or investigation, for the volunteer's own protection (or the protection of others), to prevent any possibility of influencing or being influenced by others.
- Where a safeguarding allegation has been made against a volunteer the Charity will consider taking advice from the Local Authority Designated Officer (LADO) in the first instance. This may form part of any decision made to suspend a volunteer or may form part of any decision to report the matter to relevant local authorities and / or to the police child protection unit if the LADO advises this course of action. The Charity may have to temporarily suspend internal investigations where external authorities are involved.
- If an individual is suspended, they must immediately return all Charity property. This does not imply that a decision has already been made about the allegations.



- During any period of suspension, the suspended volunteer will not be able to access Charity computer systems, which will be temporarily blocked.
- During any period of suspension, the suspended volunteer is not permitted to visit the boat at any time, contact any volunteers, trustees, or clients, unless authorisation is issued in writing by a Trustee.
- Suspension is not a disciplinary sanction and does not imply that any decision has already been made about the allegation/s.
- Suspension will be for no longer than is necessary to investigate the allegations and the Charity will confirm the arrangements to the volunteer in writing.

6. Notification of a Disciplinary Hearing

Following the completion of any investigation, if it is decided that there are grounds to proceed to a disciplinary hearing, the volunteer will be notified of this in writing outlining the allegation/s, the basis of the allegation/s and the possible likely range of sanctions if the allegation/s are found to be true.

6.1 The volunteer will receive the following, where applicable:

- A copy of any relevant document/s which will be used at the disciplinary hearing.
- A copy of relevant witness statements, except for where a witness identity is to be kept confidential, in which case the volunteer will be issued with as much information as possible ensuring confidentiality is maintained. The volunteer will be given reasonable advance notice, in writing, of the date, time, and place of any formal disciplinary hearing. The hearing will be held as soon as is reasonably practicable and will ensure the volunteer has time to prepare their response to the allegation/s of misconduct or poor performance at a disciplinary hearing.

7. Disciplinary Hearing Procedure

- All disciplinary hearings will be chaired by a Trustee.
- The hearing may be recorded on audio by the Charity only, and notes will be taken by a nominated impartial note taker. Notes (either written or recorded) can be requested if required.
- The Charity must be informed immediately if the volunteer or companion is unable to attend the meeting. Every effort should be made to attend the meeting and failure to do so may be deemed misconduct in itself.
- If a volunteer fails to attend a disciplinary hearing without good reason or is persistently unavailable to attend the Charity may make a decision based on the evidence that is available at the time of the disciplinary hearing.

Spirit of Endeavour (Yorkshire) CIO – charity number 1194409

Disciplinary Policy – version 1, approved 20th January 2026, next review 2027



- At the hearing, the Trustee will go through the allegations against the volunteer and any evidence available for consideration. The volunteer will be afforded the opportunity to respond to the allegation/s and present any evidence of their own.
- Once all of the facts of the case have been heard the disciplinary hearing will be adjourned. The adjournment will allow for any further investigations to take place considering any new information the employee has raised during the disciplinary hearing or will allow time for the Trustee to consider the appropriate responses to the allegation/s and take advice if necessary.
- The Trustee may have further questions to clarify any points of uncertainty.
- The Trustee will make a decision as to the outcome, this may involve issuing a formal sanction.
- The volunteer will be informed of the decision in writing as soon as practicable following the hearing.

8. Formal Disciplinary Sanctions

Where an allegation or allegations have been upheld a decision must be made as to the appropriate level of formal disciplinary sanction. The usual levels for misconduct are set out below:

- Stage 1 A First Written Warning may be appropriate for a first act of misconduct, or minor lapse of conduct where there are no live sanctions on the employees' record, or a failure to meet the required standards of performance or breaches of the terms of employment.
- Stage 2 A Final Written Warning where there is no satisfactory improvement, or if another misconduct is committed, or performance standards remain unsatisfactory or further performance issues have been identified, where there is already an active written warning on the employee's record, or if the misconduct is considered serious enough to warrant a final written warning even though there are no other active warnings on their record.
- Stage 3 Dismissal may be appropriate where there is insufficient improvement, or if another misconduct is committed, or performance issue arises, where there is already an active written warning on the employee's record, or if the employee's behaviour amounts to gross misconduct regardless of whether there are active warnings on their record.

All formal warnings will be confirmed in writing to the volunteer setting out the nature of the misconduct or performance issues, the improvement required, the period for which

Spirit of Endeavour (Yorkshire) CIO – charity number 1194409

Disciplinary Policy – version 1, approved 20th January 2026, next review 2027



the warning will remain active, any help or training that may be provided, any likely consequences of any further misconduct or failure to improve performance within the set period, and the right of appeal.

9. Timescales of Written Warnings and Dismissals

For the purpose of this procedure, the timescales below sets out the period of time that a formal disciplinary sanction usually remains live:

- First Written Warning: 6 (six) months (up to 26 term weeks).
- Final Written Warning: 12 (twelve) months (up to 52 term weeks). Where appropriate, an extended period to those stated above may be applied.
- Written confirmation of dismissal will be provided to the volunteer and will include the reason/s for the dismissal, and the volunteer's right of appeal.

10. Appeals

- Where a volunteer feels that any formal disciplinary action taken against them is wrong or unjust, they can appeal against the decision. They must do so within 7 (seven) consecutive days of the date they were informed of the decision, setting out their full grounds of appeal in writing, to the individual stated in the outcome letter.
- If a volunteer is appealing against dismissal, and the appeal is successful the volunteer will be reinstated.
- An appeal hearing will be arranged as soon as practicable following receipt of the employee's written appeal. The volunteer will be given appropriate written notification of the date and time of the hearing.
- Where possible, the appeal hearing will be heard by a panel of more than one Trustee. • Any disciplinary penalty previously imposed will be reviewed at the appeal hearing.
- The appeal hearing may be a complete re-hearing, or it may be a review of the fairness of the original decision pending the grounds of the appeal, any procedure followed, or any new evidence that has come to light, this will be at the discretion of the Charity. The appeal will be dealt with fairly and impartially.
- Further investigation may be necessary, and it may be necessary to adjourn the appeal hearing in light of any new evidence submitted or points raised.
- Written confirmation of the outcome of the appeal will be provided to the volunteer.
- The decision of the appeals panel is final. The panel may either:



- ■ confirm the original decision.
- ■ revoke the original decision.
- ■ substitute a different penalty (note: Can be a lesser or higher level sanction).

11. Criminal Offences

If a volunteer is charged with or convicted of a criminal offence this is not in itself an automatic reason for disciplinary action. Trustees will determine whether it is appropriate to take disciplinary action and if so when the process may commence.

- Volunteers should immediately report to the Charity any event that you become charged with, and / or convicted of a criminal act, and is encouraged to be open and honest about the situation. Failure to notify the Charity will result in disciplinary action, which may result in termination.
- Consideration will be given to what effect the charge or conviction has on the volunteer's suitability to do their job.
- Where an offence or alleged offence relates to a safeguarding matter, the volunteer will usually be suspended immediately, and an investigation will commence.

12. Overlapping Grievance and Disciplinary Matters

Where a volunteer raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. However, where the grievance and disciplinary cases are related it may be appropriate to deal with both issues at the same time.

13. Examples of Misconduct

The following are examples of matters that will normally be regarded as misconduct, this list is not exhaustive and is a guide only:

- Damage to, or unauthorised use of, Charity property.
- Poor / repeated poor timekeeping e.g. coming in late, leaving early.
- Refusal to follow reasonable instructions.
- Use of Charity equipment including telephones.
- Minor negligence in the performance of duties.
 - Minor breaches of any Charity Policy, including the Charity's Code of Conduct (Volunteers) and the Charity's Operating Instructions.



14. Examples of Gross Misconduct

Gross misconduct includes conduct, which is likely to prejudice its reputation or irreparably damage the working relationship and trust between the Charity and the volunteer or which is likely to risk injury to boat or people. Gross misconduct will normally result in dismissal.

14.1 The following are some examples of matters which are normally regarded as gross misconduct, this list is not exhaustive and is a guide only:

- Theft, attempted theft, unauthorised removal of Charity property or the property of a colleague, visitor, or other individual.
- Fraud, forgery, bribery (accepting or offering) or other dishonest behaviour.
- Actual or threatened violence, dangerous behaviour, behaviour which provokes violence.
- Abusive, insulting behaviour e.g. sexualised language or swearing and inappropriate physical contact.
- Bullying, including through social media and electronic communications.
- Deliberate and serious damage to Charity property.
- Serious misuse of the Charity's property or name.
- Discrimination or harassment victimisation.
- Bringing the Charity into serious disrepute.
- Being or appearing to be under the influence of alcohol, illegal drugs or legal highs, or other substances.
- Causing or risking loss, damage, or injury through serious negligence.
- A serious breach, or repeated breaches, of health and safety rules.
- Serious misuse of, or incorrect usage of safety equipment.
- A serious breach of data protection regulations, the Data Protection Policy and / or unauthorised use, processing, or disclosure of confidential information.
- Making covert recordings of any colleague/s or other third party on Charity premises, during any activity and / or without prior consent or knowledge.
- Making untrue allegations in bad faith against a colleague.
- Not raising safeguarding matters to the attention of the Charity.
- Repeated refusal to follow reasonable instructions.
- Breaches of the Charity's Safeguarding Policy.
- Serious breaches of any Charity Policy, including the Code of Conduct (Volunteers).

Spirit of Endeavour (Yorkshire) CIO – charity number 1194409

Disciplinary Policy – version 1, approved 20th January 2026, next review 2027