



Resolving Problems Policy

Our Commitment

Dorset Pathways believes that by having clear, open and fair procedures for the resolution of problems, we create a basis for the fair treatment of all our team members.

As an organisation, we commit to doing the best we can to ensure that Dorset Pathways is a positive and supportive place for those people who work on our team.

This includes ensuring that we are able to deliver a consistent service and manage any staff performance issues in a transparent way but also meet our legal obligations with regard to employment law and legal process.

This document

- Defines the role and responsibilities of individuals in the organisation
- Applies to all people who work for and with Dorset Pathways, including our staff, stakeholders, volunteers and contractors
- Supports our aims as an organisation
- Is based on current legislation, government guidance and best practice.

Obligations

Our staff have the right to protection and a right to fair treatment as employees at Dorset Pathways.

Dorset Pathways will ensure that it meets its obligations with regard to employment law.

Roles and Responsibilities

Directors at Dorset Pathways expect staff to meet high standards of professional conduct.

They will ensure that expected behaviour and working practices are made explicit to all staff through their contract, Staff Handbook, Policies and the Code of Behaviour.

Staff are expected to familiarise themselves with all these documents and to ask questions if necessary.

Minor departures from our standards may be dealt with informally to avoid the need to engage this procedure. Nevertheless, we recognise that there will be occasions when informal action is



not appropriate, and in such cases this Policy will be implemented. This Policy will not usually be applied in the first two years of an employee's employment.

This Policy does not form part of your contract of employment and may be altered or amended at the absolute discretion of Dorset Pathways. A Director may start this procedure at any stage.

For disciplinary and grievance issues a Director may, at their absolute discretion, use an external third party to carry out any part or parts of this procedure.

Definitions

Misconduct - examples of misconduct are:

- Occasional and minor poor timekeeping
- Minor breaches of our rules
- Minor failure to observe our procedures

These examples are not exhaustive or exclusive. Offences of a similar nature will also be dealt with under this procedure.

Misconduct, short of gross misconduct, will, depending on severity, normally result in a written warning. This would normally stay on the staff member's personnel record for six months. If a final written warning is issued, this would normally remain on file for 12 months.

Gross Misconduct - examples of gross misconduct are:

- Unauthorised absence
- Theft, fraud and bribery (giving and receiving)
- Falsification of records
- Breaches of confidentiality or trust
- Fighting or assault
- Insubordination or failure to obey a reasonable management order
- Deliberate or reckless acts of damaging Dorset Pathways property or property of another person
- Serious breaches of Dorset Pathways policies or procedures
- Bringing yourself or Dorset Pathways into disrepute
- Acting in a manner which undermines the trust and confidence in the employment relationship
- Bullying, victimisation and/or harassment towards an employee, or external representative of another organisation
- Acts of verbal abuse and/or acts of violence or threats of violence towards either an employee, customer/client or representative of another organisation
- Being under the influence of alcohol (including below the drink drive limit) or drugs and/or consuming alcohol or drugs during working hours
- Possession and/or use/being under the influence of illegal drugs or legal highs



- Negligence or incompetence that causes loss, damage or injury, or a serious risk of injury
- Breaches of health and safety regulations
- Breach of Data Protection

These examples are not exhaustive or exclusive and offences of a similar nature may be dealt with as gross misconduct. Gross misconduct will normally result in dismissal without notice or payment in lieu of notice.

Grievance Procedure

Where a staff member has a grievance relating to any aspect of their employment, they should have no hesitation in raising the matter directly and informally with the Operations Director. If the grievance cannot be resolved informally, and the employee wishes to make a formal grievance, this must be set out in writing to the Finance and Compliance Director.

The employee will usually be invited to attend a meeting to discuss the grievance. The employee is entitled to be accompanied by a workplace colleague or trade union representative at the grievance meeting.

After the meeting, the meeting chair will inform the employee of their decision in writing. The employee has the right to appeal against the decision.

If the employee wishes to appeal, they must do so in writing within five days of the date of the outcome letter. They will then be invited to attend another meeting, after which they will be informed of the final decision in writing.

NB: We are pleased for colleagues to support each other through these proceedings but they are not obliged to do so. Having a colleague present helps to ensure that matters are dealt with fairly and the Director appreciates that support being given. Staff members are asked to respect the confidentiality of these proceedings. Where there is particularly sensitive information about individuals or the Company, a Director may ask colleagues attending to sign to confirm their understanding. Please note that attending a meeting as a colleague for support will not be seen to represent anything other than support for the colleague in question and not necessarily their views or grievance and will not prejudice you in any way.

Disciplinary and Grievance Procedure

Should there be a grievance from Dorset Pathways about an employee. The following stages will be followed.

Investigation

- An investigation may be undertaken prior to any disciplinary action
- Employees must fully cooperate with any investigation



- If an employee is invited to an investigation meeting, there is no right to be accompanied

Suspension

- If appropriate, Dorset Pathways may suspend an employee on full pay. If suspended, the contract of employment will remain in force, but the employee will not be entitled to access any of our premises except at Dorset Pathways's prior request or consent, and subject to such conditions that may be imposed

Disciplinary hearing

- If it is decided that there is a disciplinary case to answer, the employee will be informed of this, normally in writing
- They will be invited to attend a disciplinary hearing
- They are entitled to be accompanied to a disciplinary hearing by a workplace colleague or a trade union representative
- They will be given the opportunity to state their case before any decision is made
- The chair of the hearing may decide the issue at the hearing or adjourn the hearing to consider their findings
- The employee will be informed of the decision. This will normally be in writing

Appeals

- If the employee is dissatisfied with the outcome of the disciplinary hearing, they may appeal. If the employee wishes to appeal, they must do so within five days of the date of the outcome letter (or where no letter is issued, the date they are informed of the decision)
- An appeal should be in writing and must set out the grounds for the appeal along with any accompanying documentation
- At an appeal hearing, the employee is entitled to be accompanied by either a workplace colleague or a trade union representative
- The outcome of the appeal will be conveyed to the employee, normally in writing. The appeal decision will be final

Authored : Directors

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