

Harrow Shared Lives Scheme Policy & Procedure No. 54

Disciplinary Procedure for Workers and Managers in the Service

The Harrow Shared Lives Scheme aims to provide good quality support and care. If standards of conduct or work from managers or workers fall below acceptable levels this will be dealt with in a way that is fair and non-discriminatory and meets the legal requirements for this.

How would this happen?

Within 4 – 6 weeks of starting work new people who are employed by the service will be given written information about the terms and conditions of employment, the required standards of conduct and practice, the training and development policy and the disciplinary and grievance procedures. During their probationary period they will follow a planned programme of induction that meets the CQC regulations and is linked to the skills and knowledge sets published by Shared Lives Plus. The probationary period provides many different opportunities for learning about the job, for developing the required skills and knowledge and for resolving any problems or difficulties.

The disciplinary procedure may be followed if a worker:

- does not appear to have the capability to do their job properly
- is persistently late or taking unauthorised absences from work
- shows inappropriate behaviour or attitudes at work
- has failed to report an incidence of abuse or suspicions about abuse of a person in a Shared Lives arrangement
- has broken the rules about conduct.

When a problem first arises, this will usually be discussed in supervision and a clear action plan agreed together with timescales for improvement.

If this does not solve the problem, or the problem is a serious one, the following disciplinary steps will be taken:

1. The supervisor / line manager will check the facts and review the evidence and write a report or statement summarising the problem and action taken so far.
2. The worker will be given a copy of the report and an opportunity to respond and/or request additional information.
3. A meeting will be arranged to discuss the issues and will be chaired by the scheme's Manager. The worker will be able to bring a representative to this meeting (and any subsequent ones). The chairperson will explain how the meeting will be held and who will speak and when. The line manager will describe the problems that have been occurring and the evidence about these and the worker will be able to respond and/or state his/her case.
4. The chairperson will decide whether disciplinary action is needed and if so, what form this will take. The worker will be informed that he/she can appeal against this decision (see below).
5. A written record will be kept of the meeting and decisions taken and a copy will be given to the worker.

Disciplinary action can be:

- a verbal warning
- one or more written warnings
- deducting pay
- demotion
- suspension
- dismissal.

When a verbal warning is given, a record of this will be kept on the worker's file. A written warning will be given when a verbal warning has already been issued or because of the seriousness of the problem. Warnings will state what the problem is, what improvement is required (and by when) and the likely consequences if there is no improvement.

A worker may be suspended if they are considered unable to do their job and/or while an investigation is underway. A written notice of suspension will be given to the worker and will describe the problem(s), the reasons for suspension and whether the person will be paid during the suspension. Certain problems are so serious they may lead to suspension or dismissal without verbal or written warnings being given.

A worker may be dismissed if:

- they have already received a final written notice but continue with the problem
- their lack of capability to do the job has been confirmed
- they have been suspended and after investigation the problem/offence is confirmed and serious enough to cause dismissal
- they have committed serious or gross misconduct
- they have committed an offence that makes their continued employment impossible.

Disciplinary matters will be dealt with as quickly as possible and a full investigation will take place before any action is taken. The process, evidence and decisions will be carefully recorded throughout. The worker can appeal against decisions by writing to chair of the panel, who will review the process, evidence and decisions and arrange an appeal meeting within 30 days of the receipt of the employees completed appeal form.

If the worker is not satisfied with the final decisions taken and believes his/her employment rights have not been met, he/she can make a complaint to an Employment Tribunal.

See these other policies and procedures and documents for further information on:

- Standards of conduct and practice
- Equal opportunities
- Training and development
- Safeguarding against abuse or neglect
- Recruitment and employment of workers and managers
- Continuous improvement in the service
- Grievance procedure (for workers and managers in the service)
- See best practice notes under conduct procedure for Harrow Council on the Harrow HUB website.