

EAST RENFREWSHIRE u3a DISCIPLINARY PROCEDURE

This Disciplinary Procedure will be used when a breach of East Renfrewshire u3a's Members' Code of Conduct and/or the u3a Trust's Code of Conduct for Trustees have been deemed by the East Renfrewshire u3a's Grievance Procedures to have taken place.

1) The Hearing Committee

The Chair (or Vice Chair if the breach involves the Chair) will be the lead person and along with two other Trustees (committee members), who are not involved in the grievance, will form a subcommittee to decide the level of disciplinary action to be taken. This will probably be the same subcommittee who decided that a breach had taken place.

2) Levels of Action

The subcommittee will meet and take into account all the information, which was put forward as part of the formal grievance procedures and reach a decision about which level of disciplinary action will be used within 14 days of receiving the notification that a breach has taken place. The levels of disciplinary action are:

- **Level 1**

No case to answer. No further action required. Such a case will have been dealt with by the informal procedures of the Grievance Procedures

- **Level 2**

A verbal warning from the lead person, which makes clear the nature of the unacceptable behaviour and includes a warning about future conduct and the consequences of non-compliance. The lead person will give the warning on behalf of the subcommittee. Details of the warning should be recorded, dated and kept by the lead person.

- **Level 3**

A written warning by email or letter from the lead person, on behalf of and agreed by the subcommittee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance. A copy of this should be kept by the lead person.

- **Level 4**

A final written warning as above, which states that if the behaviour is repeated the member will have their membership of East Renfrewshire u3a terminated with immediate effect. A copy of this should be kept by the lead person.

- **Level 5**

The lead person will inform the member by email or letter that their membership of East Renfrewshire u3a will be terminated with immediate effect and the appropriate people will be informed that the person is no longer a member of East Renfrewshire u3a. A copy of this should be kept by the lead person.

3) Gross Misconduct

In the case of an extremely serious proven misdemeanour, for example:

- Sexual/racial abuse, discrimination, harassment, bullying.
- Dangerous or violent behaviour. Falsification of an expenses claim.
- Theft.
- Malicious damage.
- Conduct which brings East Renfrewshire u3a into disrepute or is prejudicial to it or its running.

The subcommittee has the right to move immediately to Levels 4 or 5.

4) **Decision**

The decision will be communicated by email or letter to the member and complainant advising them:

- Of the level of disciplinary action that will be taken;
- That they have the right of appeal;
- That the right of appeal can only relate to the original breach;
- That the appeal request must be lodged with the lead person within 7 days from the date the decision is communicated.

5) **Right of Appeal**

- a) A right of appeal will be offered, providing it is lodged within 7 days from the date of the subcommittee decision being provided to the member.
- b) The appeal needs to be lodged in the form of a written representation to the lead person for the subcommittee to consider. An appeal can be lodged by either party in the grievance procedure and it should contain the reasons for the appeal request.
- c) The lead person will inform the Vice Chair (or Secretary if the breach involves the Chair) that an appeal panel needs to be convened and that they will be the lead person for the appeal. The appeal panel will consist of three Trustees (including the Vice Chair or Secretary), who were not involved in the initial investigation and a meeting of the appeal panel will be convened within 14 days of the receipt of the appeal. All the information from the formal procedures will be shared with the appeal panel.
- d) The member and complainant will be offered a verbal right of reply, if they wish to take this up then they will be asked to attend the meeting with the appeal panel and if they wish, they may bring a companion with them, who may also speak in a personal capacity, but not speak on behalf of the member and will also be bound by confidentiality.
- e) The whole issue will be summarised and the appeal panel will consider the written and/or verbal statements presented to them and review the information put forward in the original formal grievance procedures and then make a decision, which must be communicated in an email or letter to the member and the original subcommittee within 7 days of the appeal hearing.
- f) The decision following any appeal is final and absolute confidentiality must be maintained.

6) **Record**

A record of the procedures and their outcome should be kept by the Vice Chair or Secretary. The whole committee may be informed that a Grievance Procedure has taken place against a member and the outcome, but not any of the details.

All records from this Disciplinary Procedure will be kept for 7 years or until the member leaves East Renfrewshire u3a if that is before the 7-year deadline.

u3a REVISION			
Rev	Description	Review Date	Next Review
1	Disciplinary Procedure approved by Committee	01/22	01/24
2	Procedure Review: no change to procedure wording, headings, numbering and formatting amended. Revision panel added.	25/01/24	24/01/26