

EVESHAM & DISTRICT U3A

Disciplinary Procedure

1 General

In the event of a report of any Trustee¹ allegedly breaching the code of conduct or if a breach becomes apparent, the Chairman will immediately appoint two Trustees to investigate and report back. The result of these investigations must not be disclosed to any other Trustees at this stage.

For minor breaches of the code, the Chairman shall use his/her best endeavours to resolve the problem amicably and quickly, through an informal chat with the Trustee in question, especially if the breach has occurred during a committee meeting and therefore requires no prior investigation. However, even the informal discussion should not be vague. The problem or issue needs to be identified and the views of the Trustee should be heard; however, the Chairman must make clear what is required going forward and the consequences of repeating the behaviour in question. A written record of the informal discussion should be kept by the Chairman, but it should be stressed that this is not part of any formal disciplinary procedure.

However, if this process is not effective in reaching a solution or if it is felt that the breach is serious enough to require formal disciplinary action, the committee should be fully briefed and an agreement reached on the action to be taken.

2 Recommended Disciplinary Procedure

2.1 Level 1

The Trustee will receive a verbal warning which makes clear the nature of the unacceptable behaviour, and includes requirements about future conduct and the consequences of non-compliance. It is up to the Committee to decide who should give the warning and who else should be in support. Details of the warning should be recorded, dated and kept on file.

2.2 Level 2

The Trustee will receive a written warning from the Chairman, on behalf of and agreed by the Committee, itemising the unacceptable behaviour, the improvement required with immediate effect and the consequences of continued non-compliance.

2.3 Level 3

The Trustee will receive a final written warning as above, stating that, if the behaviour is repeated, the Trustee will be asked to leave the Committee, with immediate effect.

2.4 Level 4

The Trustee is asked to leave.

2.5 Right of Appeal

At each stage of the formal disciplinary procedure there is a right of appeal, providing it is lodged within a 7-day period. This can take the form of written representation or the request for a verbal right of reply.

¹ If the disciplinary action involves a member, who is not a Trustee, a similar procedure to that outlined for Trustees will be followed. The word member should be substituted for the word Trustee.

2.6 Hearing an Appeal

If a decision is appealed, the Trustee will be given the opportunity to attend a specially arranged committee meeting with, if so desired, a friend who may also speak in a personal capacity. Reasonable notice will be given of the agreed date and, at the meeting, the Chairman will summarise the issue and invite the Trustee to state his/her case.

The Trustee will then be informed when a decision will be communicated. The matter will be fully discussed, taking into account any mitigating circumstances. Once a decision is reached the Trustee will be informed in writing.

The Committee's decision following any appeal is final and absolute confidentiality must be maintained.

3 Conclusion

3.1 Use of Levels

In most cases disciplinary action will begin at Level 1. Levels 3 and 4 will only be invoked in the case of significant breaches of the code, or a persistent repetition of behaviour about which the Trustee has previously been warned, such as not complying with the terms of the Constitution.

3.2 Examples

Examples of significant breaches are:

1. Grossly indecent or immoral behaviour – sexual/racial abuse, discrimination, harassment, bullying.
2. Dangerous or violent behaviour.
3. Incapacity caused by medication/drugs/alcohol.
4. Falsification of expense claims.
5. Theft.
6. Malicious damage.
7. Bringing the U3A/U3A Movement into disrepute.

3.3 Committee Action

Should the Committee find itself in the unfortunate situation of having to resort to a formal disciplinary procedure, we will act as follows:

- All action taken will be documented.
- We will, at all times, act fairly and even-handedly.
- Decisions will be made by the Committee jointly.

N.B. If the complaint concerns the Chairman, the Officers, acting as a group, will take responsibility.