

Disciplinary Policy

Policy Reference:		HR18	
Effective date:	February 2022	Review date:	January 2025
Approved by PPRG:	January 2022	Approved by BoM:	March 2022
Owner:	Michael Catlin	Job Title:	Head of People & Organisational Development
To be issued to:		Ark Management All Staff	
Method of Delivery:		Email Policy LearnPro	

Version Control

Date	Owner	Version	Reason for Change
December 2021	Tracey Mawdsley	4.0	Cyclical review. Procedural information has been removed and new procedure created

Summary of Changes

Section	Change
7.0	Information regarding disciplinary process has been removed from the policy as a detailed Procedure has been created. Job titles updated



Disciplinary

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1.0 Arks Values

Our organisational values are the basis for everything that we do, from providing housing, care & support to tenants and supported people to ensuring that staff have clear standards of performance set. Ark believes that everyone should have the opportunity to lead a happy, healthy and safe life. We value:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

All Ark policies and procedures are underpinned by our values and we will ensure that our employees are treated fairly, consistently and in line with our values.

2.0 Purpose

This policy and associated procedure sets out how conduct that falls below the expected standard will be addressed.

3.0 Policy Statement

All employees are required to conduct themselves appropriately and are required to adhere to Ark's code of conduct and that of any external regulatory body such as SSSC. This includes behaviour outside of work and employees must not act in a manner that does, or has the potential to, cause harm to the organisation.

Ark will take all reasonable steps to support employees to achieve and maintain the standards required however this policy sets out how conduct that falls below the standards expected will be addressed and the penalties that may be applied.

4.0 Scope

This policy applies to all Ark employees who have successfully completed their probationary period and covers issues of misconduct, gross misconduct and where poor performance is considered to be a result of lack of effort, carelessness or negligence. Other instances of poor performance will normally be dealt with under the Performance Management policy.

5.0 Legal/Regulatory Framework

ACAS Code of Practice
Employment Rights Act 1996

6.0 Responsibilities

6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy, and for ensuring that its decisions are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with Ark's schedule for review of policies, or sooner if required. The Executive Team is responsible for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.3 Senior Leadership Team

Ark's Senior Leadership Team is responsible for review of the policy, and for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training and guidance.

6.4 Managers

Ark Managers are responsible for the effective implementation of this policy by ensuring all employees are aware of the standards required, providing reasonable support to help employees achieve these standards and addressing any instances of poor conduct or performance without delay. They must

also ensure that each member of their staff, through induction, and team meetings, is made aware of this policy and participates in relevant training.

6.5 All Staff

All employees are required to ensure they understand the standards of behaviour expected and to conduct themselves appropriately both inside and outside of work. Employees are required to seek help and support if they are experiencing difficulties that may impact on their work with Ark.

Under the Scottish Social Service Council (SSSC) codes all employees also have a duty to report any incidents of misconduct or inappropriate behaviours that they may witness from colleagues. This includes behaviour both inside and outside of work.

7.0 Conduct & Disciplinary

All employees are expected to achieve and maintain appropriate standards of conduct during their employment at Ark, both inside and outside of the workplace.

Where behaviours or conduct have fallen below an acceptable standard this will be addressed under this policy.

Some examples of behaviours that may be considered misconduct are listed in HR18a Disciplinary Procedure. Examples of conduct that are considered gross misconduct are also listed in HR18a Disciplinary Procedure.

8.0 Related Policies & Procedures

HR05 Performance management
HR15 Whistleblowing
HR18a - Disciplinary Procedure
HR19 Grievance policy
SSSC codes of Practice

9.0 Equality Impact Assessment (EIA)

No potential equalities issues have been identified in relation to the development of this policy, and consequently an EIA has not been completed.

10.0 Data Protection Impact Assessment (DPIA)

No potential high risk data protection implications have been identified in relation to the development of this policy and consequently a DPIA has not been completed.

11.0 Stakeholder Consultation

In developing this policy the following groups were consulted:

- Ark Board of Management;
- Ark Senior Leadership Team
- Unite the Union

12.0 Monitoring and Review

12.1 Monitoring

Ark's Executive and Senior Leadership Teams will monitor implementation of this policy on an ongoing basis.

12.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.