

Recommended Disciplinary Procedure

In the event of a report of any trustee allegedly breaching the code of conduct or if a breach becomes apparent, the Chairman should 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 an informal discussion should not be vague. The problem or issue needs to be identified and the views of the trustee should be heard, but 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.

Recommended Disciplinary Procedure

Level 1

A verbal warning which makes clear the nature of the unacceptable behaviour and includes a warning 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.

Level 2

A written warning from the Chairman, on behalf of and agreed by the committee, itemising the unacceptable behaviour, stating the improvement required with immediate effect and the consequences of continued non-compliance.

Level 3

A final written warning as above, which states that if the behaviour is repeated again the trustee will be asked to leave the committee, with immediate effect.

Level 4

The trustee is asked to leave.

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 desire for a right of reply.

Hearing an Appeal

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

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

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

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

Examples of significant breaches would be:

- Grossly indecent or immoral behaviour – sexual/racial abuse, discrimination, harassment, bullying.
- Dangerous or violent behaviour.
- Incapacity caused by medication/drugs/alcohol.
- Falsification of expense claims.
- Theft.
- Malicious damage.
- Bringing the u3a /u3a Movement into disrepute.

Should you be in the unfortunate situation of having to resort to a formal disciplinary procedure, please remember the following:

- All action taken must be documented.
- You must at all times act fairly and even-handedly.
- Decisions must be made by the committee.

N.B. If the complaint concerns the Chair, then the Officers acting as a group should take responsibility.

