

DISCIPLINARY PROCEDURE

1. **Verozi Foundation** recognizes that informal resolution of concerns about an employee's behaviour is usually the best way of maintaining effective working relationships. It is therefore incumbent upon all managers who have delegated responsibility for disciplinary issues to seek to resolve matters of minor misconduct quickly and without recourse to this procedure.
2. However, it is recognized that more serious issues of indiscipline, or the repetition of minor incidents, may need to be dealt with under this formal procedure. Such matters are likely to be of the kind indicated in the code of conduct and disciplinary rules.
3. If, in the opinion of the line manager (which shall be taken to mean any employee who has formal responsibility for the direction of the work of the other staff of **Verozi Foundation**), there has been a breach of good discipline serious enough to warrant formal action, then the line manager shall so advise the employee in writing, setting out the grounds of concern, and indicating how the line manager intends to proceed to investigate the allegation.
4. In the event of most disciplinary complaints short of gross misconduct, the manager or line manager shall conduct the disciplinary hearing; for issues of gross misconduct, or where accumulated misconduct could result in employees dismissal with notice, the line managers manager will investigate the complaint and present findings to the divisional head, with the line manager attending as a witness as appropriate, in the case of a complaint against divisional head, the case will be investigated by the chief executive, and the disciplinary hearing conducted by the chair of the personnel committee of **Verozi Foundation**. Where there is a case against the chief executive, it will be investigated by member of the personnel committee, and the hearing conducted by other members of the committee.
5. At least five working days prior to any formal disciplinary hearing, the full details of the complaint against the employee and any evidence or witnesses that will be brought to substantiate the complaint should be provided in writing to the employee's representative, who maybe a work colleague or trade union official. The employee should provide in writing at least three working days before the hearing details of any witnesses and evidence to be called to refute the allegations.
6. The disciplinary hearing will be chaired independently the manager or director appointed to conduct it; she or he will normally be accompanied by an advisor from the personnel department and any other technical advisers as maybe appropriate, and arrangements will be made for full notes to be taken. The advisers and note



taker will not normally participate in the hearing, except to seek or offer clarification of points arising from it.

7. The complaint and evidence to support it, will be presented first, the presenting manager explaining his/her concerns, setting out the details and presenting such evidence and witnesses as maybe appropriate to substantiate the allegations. The defence to the allegations will then be offered in the same way by the employee or his/her representative. Both sides may cross examine evidence and witnesses. Both complaint manager and defendant employee will then withdraw, and a decision on the substance of the complaint will be made by the manager appointed to conduct the hearing or by the personnel committee or one of its members as appropriate, who may seek such advice in reaching their conclusions as maybe necessary. If necessary, both sides will be called back to seek clarification of an issue. The decision will be made on balance of probability.
8. The decision will then be communicated to the employee. If possible, it should be given orally immediately on the conclusion of the hearing, and confirmed in writing; but in any event, it should be put in writing, setting out full reasons for the decision, within three working days of decision being made. If the case has been made not prove, the matter will end there, and all reference to it expunged from **Verozi Foundation** records. If the case has been found proven, the employee will be invited to make a statement in mitigation. A final decision will then be made on the outcome of the disciplinary process, which might take one of the following forms:
 - **First written warning**-when the offence is the first and relatively minor one.
 - **Further written warning**-where there has been a continuation of misconduct.
 - **Final written warning**- where if the employee offends again, dismissal is likely to be the result.
 - **Dismissal with notice**- where the employee has consistently failed to remedy misconduct.
 - **Summary dismissal**-where the employee has been found guilty of gross misconduct, and there are no substantial mitigating factors.
9. Although it is intended that, in general, that this process is cumulative, in case of early instances of serious misconduct short of gross misconduct, a finding more severe than first or subsequent written warning maybe considered appropriate.
10. Warnings will normally stay on an employee's record as follows:
 - **First written warning**-one year from the date of issue.
 - **Further written warning**-two years from the year of issue
 - **Final written warning**-indefinitely.



Verozi Foundation
Elevating Humanity

The duration of these warnings may, in exceptional circumstances, be varied by the personnel committee, or in the case of warning issued by the committee or one of its members, by the chair of the trustee board.

11. An employee may appeal against the outcome of disciplinary hearing on the grounds either of its findings or the severity of the disciplinary action. An appeal against decision by a manager will be heard by that managers own manager (or in the case of a decision by the chief executive, by the chair of the personnel committee); an appeal against the decision by the chair of the personnel committee by the full committee, excluding the chair, and against a decision by that body by the full trustee board. Excluding members of the personnel committee. The same procedure will generally apply as at the original hearing, save that only evidence and findings in dispute will be considered, and that the person who chaired original disciplinary hearing shall present the findings, calling other managers as witnesses as appropriate. The appeal body may constitute any alternative outcome, or uphold the original decision.
12. In case of alleged misconduct, it will be norm to suspend the employee on full pay pending the outcome of the process. Suspended employee may have access to **Verozi Foundation's** premises. , records, staff and clients only by prior arrangement with the chief executive (or in the case of disciplinary action against the chief executive, with the chair of personnel committee), and only to prepare a defence.
13. All employees have the right to be represented by full time trade union official, but not by any other person outside Verozi Foundation, at all formal stages of the disciplinary process, although during the earlier investigatory stage, the investigating manager has the right to discuss matters alone with them. Employees and their representatives have the right to reasonable amount of time off with pay to prepare and present the defence to the allegation.

END