**MARLOW FM DISCIPLINARY POLICY
updated 10 February 2021**

1. **Introduction**

Marlow FM’s aim is to help and encourage all its volunteers to achieve and maintain standards of conduct, attendance and performance. This procedure applies to all individuals who undertake volunteer work on behalf of Marlow FM and sets out the action which will be taken when rules and procedures are breached. The aim is to ensure consistent and fair treatment for all in the organisation.

Volunteers acknowledge their acceptance of this policy by signing the Volunteer Agreement with Marlow FM and it forms part of the terms and conditions of being a volunteer.

Where possible an informal approach will be taken to address any issues.  This may be an informal chat or a coaching session where the matter will be highlighted and discussed.

However, where an informal approach does not result in a satisfactory resolution of the matter, or if the conduct or performance issue is sufficiently serious, disciplinary action may be necessary.

1. **Misconduct**

Marlow FM reserves the right to implement the procedure at any stage as set out below taking into account the alleged misconduct of a volunteer.

Matters that the organisation views as amounting to disciplinary offences include (but are not limited to):

* persistent bad timekeeping
* conduct that brings Marlow FM's name into disrepute
* gross negligence
* smoking or use of an e-cigarette whilst anywhere on the organisation's premises
* swearing on air
* serious errors affecting transmission
* non adherence to production policy
* serious breach of the organisation's rules, including, but not restricted to, health and safety rules and rules on computer use
* stealing from the organisation, other volunteers or the public
* other offences of dishonesty
* sexual misconduct at work
* fighting with or physical assault on members of Marlow FM or the public
* deliberate damage to or misuse of the organisation's property and equipment
* being under the influence of alcohol or illegal drugs while volunteering
* possession of illegal drugs on the organisation's premises
* discrimination or harassment of a fellow volunteer on the grounds of sex, sexual orientation, race, disability, age or religion or belief
* abusive behaviour

 **3. Investigation**

The volunteer will be informed as soon as possible that an investigation is taking place and when it has been concluded. Depending on the circumstances of the case, the volunteer may be invited to attend an investigatory interview. If such an interview is held prior to a disciplinary hearing, the volunteer will be informed at the outset that the interview is an investigatory interview. There is no right for volunteers to be accompanied at a formal investigatory interview. The organisation reserves the right to dispense with an investigatory interview and to proceed directly to a formal disciplinary hearing.

1. **Procedure**

Where, upon completion of an investigation, there are reasonable grounds to believe that a volunteer has committed an act of misconduct, the volunteer will be invited to attend a disciplinary hearing.

In the event of a disciplinary hearing taking place the organisation will:

* tell the volunteer the purpose of the hearing and that it will be held under the Marlow FM disciplinary procedure
* explain the volunteer's right to be accompanied at the hearing by a fellow volunteer or trade union official
* give the volunteer written details of the nature of his/her alleged misconduct
* provide to the volunteer all relevant information (which should include statements taken from any fellow volunteer or other persons that the organisation intends to rely upon) not less than two working days in advance of the hearing

Where the volunteer is unable to attend a disciplinary hearing and provides a good reason for failing to attend, the hearing will be adjourned to another day. Unless there are special circumstances mitigating against it, if the volunteer is unable to attend the rearranged hearing, the rearranged hearing will take place in the volunteer's absence. The volunteer will also be allowed to make written submissions in such a situation.

1. **Role of companion**

The volunteer's chosen companion has the right to address the hearing to put the volunteer's case, sum up the case and respond on the volunteer's behalf to any view expressed at the hearing. The companion may also confer with the volunteer during the hearing. However, there is no requirement for the hearing panel to permit the companion to answer questions on behalf of the volunteer, or to address the hearing where the volunteer indicates that he/she does not wish this.

1. **The disciplinary hearing**

A disciplinary hearing will normally be conducted by a Director of Marlow FM together with the HR Director (the panel). Any member of team responsible for the investigation of the disciplinary offence(s) shall not be a member of the hearing panel, although such members may present any supporting facts and material to the disciplinary hearing. The volunteer will be entitled to be given a full explanation of the case against him/her and be informed of the content of any statements provided by witnesses. The volunteer will be able to call his/her own witnesses. He/she will be permitted to set out his/her case and answer any allegations. The volunteer will be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. He/she will also be given the opportunity to raise points about any information provided by witnesses. Where the organisation intends to call relevant witnesses it will give the volunteer advance notice of this. The volunteer must also give advance notice if he/she intends to call relevant witnesses.

The organisation may adjourn the disciplinary proceedings if it appears necessary or desirable to do so (including for the purpose of gathering further information). The volunteer will be informed of the period of any adjournment. If further information is gathered, the volunteer will be allowed a reasonable period of time, together with his/her fellow companion or trade union official, to consider the new information prior to the reconvening of the disciplinary proceedings.

As soon as possible after the conclusion of the disciplinary proceedings, the panel will convey the decision to the volunteer and will also inform the volunteer what disciplinary action, if any, is to be taken. The decision will be confirmed in writing. The volunteer will be notified of his/her right of appeal under this procedure.

1. **Disciplinary action**

Where, following a disciplinary hearing, the organisation establishes that the volunteer has committed a disciplinary offence, the following disciplinary action may be taken:

1. Where a minor offence or offences have been committed, a **recorded oral warning** may be given. The warning will ordinarily state that any further misconduct will render the volunteer liable to further, more severe disciplinary action. The volunteer should be informed of the period that the warning will remain "live". During this period, the organisation may rely on such a warning in the event of further misconduct on the part of the volunteer.
2. Where either a more serious disciplinary offence has been committed or further minor offences have been committed by a volunteer following a recorded oral warning that remains "live", the volunteer will receive a **written warning**. The warning will:
* set out the nature of the offence committed
* inform the volunteer that further misconduct is liable to result in further disciplinary action under this procedure
* specify the period for which the warning will remain "live", after such period the organisation will review the warning/the warning will automatically lapse
* state that the volunteer may appeal against the warning
1. Where the volunteer has committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a written warning given under 2. above, the volunteer may be **dismissed**.
2. Where the organisation establishes that a volunteer has committed an act of gross misconduct, the volunteer may be dismissed.
3. **Gross Misconduct**

If, after the case has been fully investigated, a person is deemed to have committed an offence included in the following list (though this is not an exhaustive list), then the person will have their Volunteer Agreement terminated with immediate effect and will be dismissed.

* Theft, fraud or act of dishonesty
* Deliberate and serious damage to property
* Fighting, physical violence or serious abusive behaviour towards people
* Sexual misconduct
* Being under the influence of alcohol or illegal drugs whilst volunteering for Marlow FM
* Failure or refusal to obey a reasonable instruction without good reason
* Transmitting confidential information outside the organisation
* Serious breach of health and safety obligations
* Serious misuse of computer, email or internet facilities
* Bringing the organisation into disrepute

Whilst the alleged gross misconduct is being investigated, a volunteer may be asked to stay away from the studios and to not undertake any duties on behalf of Marlow FM during this time.

1. **Appeal**

A person may appeal against any disciplinary decision and must do so within five working days of receiving notification of such a decision. The appeal must be made in writing and outline the grounds for the appeal. The appeal will be chaired by a senior member of the Management Team who was not involved in the original disciplinary decision. The decision made at the appeal hearing will be final.