

# How CAAT deals with Steering Committee issues

CAAT aims to deal with any complaint regarding or brought by a member of Steering Committee (SC) in a way that ensures SC is a fair and inclusive decision making body while keeping CAAT's aims and best interest at the fore.

If a SC member has a complaint about the organisation or their SC role they should refer to CAAT's Grievance Policy. If a SC member has an issue with a member of staff they should refer to CAAT's Disciplinary or Capability Policy depending on the problem.

If an employee, another member of SC, volunteer, freelancer or supporter has an issue with a member of SC then they should follow the SC disciplinary procedure below.

If an individual not on the list above, but involved with CAAT, has a grievance with the organisation or a member of SC they should make an official complaint to the CAAT's Disciplinary and Grievance Panel Secretary (or another individual on the Panel if the issue involves the Secretary, or the Secretary is away for a long period of time) who will deal with it speedily and fairly as outlined in the Secretary role description.

## SC disciplinary procedure

### 1 Introduction and general principles

1.1 The aim of this disciplinary procedure is to deal fairly, consistently and speedily with any SC member who is accused of misconduct, whether in breach of CAAT's rules and procedures, poor performance or unacceptable actions due to a failure to maintain adequate standards of behaviour or reliability in their role as a SC member.

1.2 It is the responsibility of the non-staff Steering Committee (SC) Disciplinary and Grievance Panel (hereafter referred to as the Panel) to undertake the tasks outlined in the formal aspect of this policy, except the appeal procedure. At least three members of the Panel of four should attend each formal meeting. If the member of SC that is the subject of the disciplinary issue is on either the Panel or Appeals Panel then another member of SC will need to take their place. It is the responsibility of the whole of SC to monitor the implementation of this policy.

1.3 At all stages of the disciplinary procedure both the Panel and the individual concerned must not deliberately stall proceedings and should ensure appropriate confidentiality of all events and communications. Any breach of this by anyone involved may be treated in itself as a disciplinary case of misconduct.

1.4 At any stage of the procedure CAAT may seek mediation to assist with the process, or the process could be adjusted if it is shown to be impacting on the individual's mental health.

### 2 Levels of misconduct – decided by the Panel

2.1 Minor Misconduct includes minor failures in personal conduct, unacceptable standards of aptitude or competence, poor time keeping, a large number of absences from meetings (as stipulated in CAAT's rules and regulations) without due reason, disregard for safety or others' well-being, minor misuse of CAAT's property or name, a one-off breach of CAAT's Equal Opportunities Policy or a one-off incident of verbal abuse or disrespectful behaviour to others.

2.2 Major Misconduct (procedure starts at the formal stage) This includes, but is not limited to:

- minor theft
- a one-off breach of confidence

- major misuse of CAAT's property or name
- one-off incident of discrimination
- causing injury to others through negligence
- a serious or ongoing breach of CAAT's health and safety rules
- a serious or ongoing breach of CAAT's equal opportunities policy
- unacceptable standards of behaviour due to alcohol or use of recreational drugs

2.3 Gross Misconduct (procedure starts at the disciplinary hearing stage) This includes, but is not limited to:

- major theft or fraud
- spying on CAAT
- a serious breach of confidence
- one-off incident of bullying or physical violence
- deliberate serious damage to CAAT's property
- ongoing verbal abuse or disrespectful behaviour to others
- ongoing discrimination or harassment
- bringing the organisation into disrepute
- causing serious injury to others through negligence
- deliberately stalling or sabotaging a disciplinary or grievance procedure

### 3 Procedure

#### 3.1 Informal procedure

In cases such as minor misconduct the individual should try to resolve the issue informally. This could involve talking one-to-one to the member of SC confidentially, or a member of staff talking confidentially to the SC member that they, or another person(s) from the organisation, have issue with. This should be a two-way discussion aimed at discussing possible failures in conduct and finding ways to aid change. Suggestions should be constructive, with the emphasis being on finding ways for the SC member to alter their behaviour and for the improvement to be sustained. If helpful these discussions could include another member of SC. Confirmation of what was agreed at the informal discussion(s) should be put in writing by the individual instigating the informal procedure and circulated to everyone who attended as soon as possible.

#### 3.2 Formal procedure

If informal discussions don't result in any or, in the opinion of the individual who instigated the informal procedure, acceptable improvement then the Panel will need to get involved. They should start by:

- informing the SC member of the suspected misconduct.
- investigating the suspected misconduct to establish the facts.
- meeting the SC member to discuss their action or behaviour, giving the SC member the opportunity to give their point of view.
- deciding whether misconduct has occurred.

It is important these steps are carried out as speedily as possible. If the Panel decide no misconduct has occurred then the relevant parties will be informed in writing and no further action is necessary.

If the Panel decide that misconduct has occurred they will:

- decide on appropriate action and time-scales for improvement.
- meet with the SC member to give them a written warning and inform them of expected future behaviour, action to remedy/improve the situation and the period for review.
- provide a written record including; the reason for their decision, details of the review period and how it will be conducted, consequences of further misconduct and their right to appeal. This will be kept in a locked file by the Office Coordinator. Copies of which will be sent to the SC member.

The procedure for appeal is below.

If there is no further misconduct of the same or a similar kind during the review period, a meeting between the Panel and the SC member should take place to recognise this. A written record will be given to confirm this.

### 3.3 Disciplinary hearing following a written warning or an alleged gross misconduct

3.3.1 If there has been insufficient improvement by the end of the written warning review period and misconduct continues to occur the case will be considered gross misconduct and move to a hearing. Or if the SC member is accused of gross misconduct initially the process will move directly to a hearing.

3.3.2 The Panel will decide whether the SC member should be suspended from all SC meetings pending the result of the hearing (it should be made clear that any suspension is not an assumption of guilt), and inform the SC member of the hearing date (which must be as soon as possible) and the process it will involve.

3.3.3 The hearing will be conducted by the Panel. The SC member will have the opportunity to comment on and refute the allegation(s), the Panel will be able to ask questions to establish the facts and call witnesses.

3.3.4 Within two working days of the hearing, the Panel will decide whether gross misconduct occurred and the penalty imposed (if any), and inform the SC member of their decision in writing. The written record will include:

- nature of gross misconduct
- dates/period of misconduct
- the findings of the Panel
- the penalty to be imposed (if any), by recommendation of the Panel
- the SC member's right to appeal and the date by which they must appeal

A copy of this will be kept in a locked file by the Office Coordinator. The SC member has the right of appeal, the procedure of which is below.

If the Panel finds that gross misconduct has occurred then the SC member will be dismissed from SC with immediate effect.

### 3.4 Appeal

3.4.1 The SC member has the right to appeal against the decision taken at both stages of the above disciplinary procedure. Appeals can be raised if there is new evidence, issue with the process or to review the disciplinary sanction. An Appeals Panel will consist of three non-staff Steering Committee members not on the Disciplinary and Grievance panel. An individual outside of SC may be brought onto the Appeals Panel if all other non-staff SC members have either been involved in the case before in some way or are not available.

3.4.2 A SC member who wishes to appeal should lodge a notice of appeal in writing to the Appeals Secretary within five working days of receiving notification of the decision, and should state what the appeal is against. The appeal must be heard as soon as possible.

3.4.3 At the appeal the SC member will have the opportunity to state their case, all will be able to ask questions and the Appeal Panel can call witnesses.

3.4.4 Within two working days of the appeal, the Appeal Panel will decide whether or not to uphold the decisions of the Panel and the penalty imposed. They will inform the SC member of their decision in writing, a copy of which will be kept in a locked file by the Office Coordinator.

3.4.5 The decision of the Appeals Panel will be final.