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# **Grievance and Disciplinary Procedures**

SAFE TO CREATE ([safetocreate.ie](https://safetocreate.ie))

CoisCéim is committed to compliance with Safe to Create's Code of Behaviour by the end of 2023.

Any necessary updates required to this policy will be effected immediately and published in line with the standard review procedures in May 2024.

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# Grievance Procedure

This procedure applies where an Employee has cause to complain about another Employee or Board Member or any matter relating to the Employee's employment.

Employees should carefully consider the nature of the complaint before engaging in the process. Sometimes conflicts and disagreements can be resolved without the intervention of a formal procedure. If resolution cannot be found, then the subsequent procedure will be followed.

If an Employee has cause to complain about another Employee, or Board Member, or any matter relating to the Employee's employment, the following steps must be taken:

## 1. REGISTERING A COMPLAINT

The complaint must be submitted in writing to the Executive Producer unless the complaint is against them in which case the complaint should go to the Chairman of the Board.

## 2. PROCEDURE

On submission of the complaint it will be investigated and dealt with within five working days by the appropriate person. If the complaint is upheld and the case deemed sufficient, the necessary actions to remedy the situation will be taken; this may include invoking the DISCIPLINARY PROCEDURE. The outcome of the investigation will be communicated in writing within five working days of completion.

## 3. APPEAL

If the complaint is not upheld the Employee has the right to appeal. Appeals have to be made in writing within ten working days of the decision and sent to the nominated person. A decision will be taken to either re-investigate the complaint, request that it be dealt with another nominated person or turn the appeal down. The same time periods apply as per the first procedure. The outcome of this phase is final and not subject to further appeals. All decisions will be communicated within five working days of completion.

# Disciplinary Procedure

The purpose of the Disciplinary Procedure is to ensure that Employees and Board Members cannot abuse colleagues, clients or CoisCéim's resources without regard for their actions.

CoisCéim may take disciplinary proceedings if any of the following takes place:

## **1. GROSS MISCONDUCT**

Includes violence, threatening behaviour, fraud, misrepresentation, deceit, misuse of CoisCéim's resources, substance abuse / misuse, and any sexual offence. This is not an exhaustive list and other conduct may be deemed to be gross misconduct.

## **2. GENERAL MISCONDUCT**

Includes sexual harassment, bullying, discrimination, theft, vandalism, absenteeism and under-performance. This is not an exhaustive list and other conduct may be deemed to be general misconduct.

## **3. BREACH OF CONFIDENTIALITY**

The Employee may not disclose trade secrets or any other information of a confidential nature relating to CoisCéim and its business and in particular relating to sensitive information in respect of which CoisCéim owes an obligation of confidence to a third party during or up to twenty four months after the Employee's employment except in the proper course of the Employee's employment or as required by law.

The Employee must not remove any documents or computer disks or tapes containing confidential information from CoisCéim's premises at any time without proper advance authorisation. All such documents, disks and tapes and any copies thereof are CoisCéim's property.

Punishment for committing an offence in any of these areas can range from admonishment to, in serious cases instant dismissal.

## **THE PROCEDURE**

The Employee has the right to a fair hearing at which the case will be presented and the Employee has the right to be accompanied by a representative of their choice at all stages of the procedure.

The Employee will not be disciplined until a full investigation has been conducted into the alleged breach of contract or established practice or rule and the Employee has been found guilty. In appropriate circumstances, CoisCéim reserves the right to dismiss the Employee summarily.

The following will be the procedure for discipline and /or dismissal :

**(A) VERBAL WARNING** – The Executive Producer will inform the Employee of the reason for the invoking of this disciplinary procedure and will, where appropriate, outline what the Employee has to do to improve. Where appropriate, the Employee will be given the necessary support to improve. A verbal warning will be recorded on the Employee's personnel file for six months. After the six months has expired the Employee's conduct will be reviewed. If it is determined that the Employee has not improved, the next stage of the procedure begins.

**(B) FIRST WRITTEN WARNING** – In the event of a continued failure to meet the required standards the Employee will be issued with a written warning. The Employee will

also be warned that continuing failure to improve may result in suspension, with or without pay, and/or dismissal and will be recorded on the Employee's personnel file for a period of six months. After the six months has expired the Employee's conduct will be reviewed. If it is determined that the Employee has not improved, the next stage of the procedure begins.

**(C) FINAL WRITTEN WARNING** – If, following a written warning, a satisfactory improvement is not noted the Employee will be given a final warning stating that the next stage in the disciplinary procedure is dismissal. The Employee may also be suspended without pay and will be recorded on the Employee's personnel file for six months. After the six months has expired the Employee has not improved the next stage of the procedure begins.

**(D) DISMISSAL** – If, having exhausted the above procedure the Employee's conduct or performance does not improve to a satisfactory level, the Employee may be dismissed.

The Employee may appeal at any stage of the disciplinary procedure to the Board via a nominated Director. The Employee will have the right to appeal any decision made pursuant to this disciplinary procedure in the manner set out in the Grievance Procedure.