

# HERITAGE CHESTER

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## **Heritage Chester Grievance and Disciplinary Procedure**

**Adopted November 2025. For review November 2026.**

### **Individual grievance procedure**

The aim of this procedure is to give Heritage Chester CIC workers (staff and volunteers) an opportunity to raise a grievance either informally and/or formally and to discuss this with Heritage Chester (the organisation) with a view to having it resolved.

The contents of this document apply to Heritage Chester Directors, all members of the Heritage Chester Steering Group, Content Group and Marketing Group, anyone directly employed by Heritage Chester, commissioned by Heritage Chester to develop and lead events, and all Heritage Chester volunteers managed by Heritage Chester.

The procedures outlined may not apply to third parties organising and leading events under the Heritage Chester banner or to anyone volunteering at those events under the management of those third parties.

### **General Principles**

- Grievances should be raised as soon as possible, to allow issues to be resolved quickly.
- Workers should be given the opportunity to explain their grievance and how they think it should be resolved
- If the worker's grievance is against a Heritage Chester Director or anyone else to whom they are reporting, they may raise the matter with another Director, where possible
- Heritage Chester will ensure that the timing and location of all meetings under this procedure are reasonable
- Workers will be entitled (where reasonably requested) to be accompanied to any grievance or disciplinary meetings by a fellow worker
- Directors, workers and their companions should take reasonable steps to attend grievance and disciplinary meetings
- Records shall be kept detailing the nature of the grievance raised, the organisation's response, any action taken, the reasons for it and other information relevant to the process. These records shall be kept confidential

- There may be circumstances where the worker and the organisation feel it would be beneficial to involve a third party to help in resolving the issue, through for example a process of mediation. In this instance the grievance procedure may be temporarily set aside

Mediation is a process whereby an independent third party intervenes in a workplace dispute to assist the parties to reach a satisfactory outcome.

The Labour Relations Agency can provide a mediation service to assist the parties. Further information on mediation is available on the Agency's website [www.lra.org.uk](http://www.lra.org.uk) or by telephoning 028 9032 1442.

## **Dealing with a Grievance Informally**

If a worker has a grievance or complaint to do with their work they should, in the first instance and, wherever possible, discuss it with the individual to whom they are reporting. They may be able to agree a solution informally.

## **Formal Grievance**

If it is not possible to resolve a grievance informally, or the worker does not feel it is appropriate to do so, they should raise the matter formally in writing to Heritage Chester Director responsible for personnel. The written grievance should contain details of the nature of the grievance and how they feel it might be resolved.

## **Grievance Hearing**

The Heritage Chester Director responsible for personnel will call the employee to a meeting to discuss their grievance. This will normally be held within 5 working days from receipt of the complaint in writing. Workers should be allowed to explain their grievance and how they think it might be resolved. The worker will be entitled to be accompanied at this meeting by a fellow worker or a trade union representative certified or trained in acting as a companion. Following the meeting the organisation (within 5 working days) will advise the worker in writing what, if any action they have decided to take along with a full explanation of how the decision was reached. The worker should be informed that they can appeal (and to whom the appeal should be made) if they feel that the grievance has not been satisfactorily resolved.

## **Appeal**

If the worker wishes to appeal they should let the Heritage Chester Director responsible for personnel know in writing stating their reason(s) for appeal. This should be done within 5 working days of the grievance hearing decision being communicated in writing to them. Within 5 working days of receipt of the appeal an appeal meeting will take place. The appeal will be conducted by a Heritage Chester Director who was not involved in the decision being appealed. The worker will be entitled to be accompanied at this meeting.

Following the meeting the Heritage Chester Director responsible for personnel will advise the worker in writing of the outcome of the appeal, no later than 5 working days from the appeal being heard. This decision is final.

## **Disciplinary Procedure**

Heritage Chester (the organisation) will use this procedure to help and encourage all workers (staff and volunteers) to achieve and maintain standards of conduct, attendance and job performance. This procedure applies to all Heritage Chester workers. The aim is to ensure consistent and fair treatment for all in the organisation. A disciplinary process can be stressful for everyone involved. Different people might respond differently to stressful situations. We understand the prospect of disciplinary action might cause distress and affect your mental health. We will support you throughout to help avoid this happening to you. Please talk to the Heritage Chester Director responsible for personnel about how we can support your wellbeing.

## **Principles**

- The organisation will consider informal action, where appropriate, to resolve problems
- The organisation will not take disciplinary action against you until the case has been fully investigated
- For formal action the organisation will advise you of the nature of the complaint against you and we will give you the opportunity to state your case before any decision is made at a disciplinary meeting
- The organisation will provide you, where appropriate, with written copies of evidence and relevant witness statements before a disciplinary meeting
- You will not be dismissed for a first breach of discipline, except in the case of gross misconduct, when the penalty is dismissal without notice and without payment in lieu of notice
- You have the right to appeal against any disciplinary action
- The procedure may be used at any stage if your alleged misconduct needs this

## **Your Right to be Accompanied**

You have a statutory right to be accompanied by a companion where a disciplinary meeting could result in:

- A formal warning
- Some other disciplinary action
- Confirmation of a formal warning or other disciplinary action (for example, at an appeal hearing)

The right is to be accompanied by:

- Someone you work with
- A trade union representative certified or trained in acting as a companion
- An official employed by a trade union

You should tell the organisation as soon as possible if you would like a companion and who they will be to allow arrangements to be made in good time.

If you need any reasonable adjustments, for example for a disability, speak to the Heritage Director responsible for personnel.

# The procedure

## First stage of formal procedure

This will normally be either:

- An improvement note for unsatisfactory performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The organisation will advise you that this is the first stage of the formal procedure. The organisation will keep a record of the improvement note for six months, but it will then be considered spent if you achieve and maintain satisfactory performance

or

- A first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct, the change in behaviour required and the right of appeal. The warning will also tell you that a final written warning may be considered if there is no sustained satisfactory improvement or change. The organisation will keep a record of the warning, but it will be disregarded for disciplinary purposes after thirteen months.

## Final Written Warning

The organisation might give you a final written warning if:

- The offence is sufficiently serious
- There is further misconduct
- There is failure to improve performance while you are still under a prior warning

This will confirm the full details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal.

The Heritage Director responsible for personnel will keep a copy of this written warning but it will be disregarded for disciplinary purposes after thirteen months as long as you achieve and maintain satisfactory conduct or performance.

## Dismissal or Other Action

If there is still further misconduct or failure to improve performance, the final step in the procedure may be dismissal or some other action short of dismissal such as supervision.

Dismissal decisions can only be taken by the Heritage Chester Directors.

You will be provided in writing with the:

- Reasons for dismissal
- Date your employment will end
- Confirmation of all final payments you are owed
- Right of appeal

If an action short of dismissal has been decided on, you will:

- Receive confirmation of the full details of the complaint
- Be warned that dismissal could result if there is no satisfactory improvement

- Be advised of the right of appeal

The organisation will keep a copy of the written warning but it will be disregarded for disciplinary purposes after thirteen months as long as you achieve and maintain satisfactory conduct or performance.

## **Gross Misconduct**

The following list provides some examples of offences which are normally regarded as gross misconduct:

- Theft or fraud
- Physical violence
- Bullying
- Deliberate and serious damage to property
- Serious misuse of the organisation's property or name
- Serious insubordination
- Discrimination, harassment or victimisation
- Bringing the organisation into serious disrepute
- Bringing partner organisations into serious disrepute
- Causing loss, damage or injury through serious negligence
- A serious breach of health and safety rules
- A serious breach of confidence

The organisation might consider suspending you while carrying out a disciplinary investigation if there is a serious issue or situation. Suspension is when the organisation tells you to temporarily stop working.

The organisation will consider each situation carefully before deciding to suspend you. Suspension will not be needed for most investigations. Suspension does not mean you have done anything wrong and will not be used to discipline you.

The organisation understands being suspended might be stressful so we will:

- Only suspend you if there's no other option
- Support you throughout the suspension period, always considering your mental health and wellbeing

## **Appeals**

If you want to appeal against a disciplinary decision you must do so within 5 days. All appeals will be heard by a Heritage Chester Director, and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

Heritage Chester is a community interest company registered in England and Wales with company number 16268584.

The Bluecoat Building, Upper Northgate Street, Chester, United Kingdom, CH1 4EE.