

Document Information and Revision History			
Document Owner		Community Connection Incorporated	
Approved By		Manager	
Distribution List		Community Connection Staff, Board Members, Individuals and their Families/Nominees by email and/or mail	
Review Frequency		Every 3 years; or when triggered by an event or finding(s) that identify improvement and/or changes of legislation necessitate an amendment	
Document location		Governance	
Last Review	Date to be Reviewed	Review Team	Nature of amendment
Sept 2014	12.09.17		
September 2016	September 2017	Marie	Format Change
February 2018	February 2021	Marie and Peggy	Re-write and attachment – The Role of a Support Person

1. GUIDELINE

To ensure that there are no misunderstandings when discipline is to be conducted Community Connection Incorporated and the employee shall adhere to the following procedure in each and every instance of discipline.

- 1.1 Ensure employees clearly understand what is expected of them
- 1.2 Clearly identify and then assess the problem
- 1.3 Organise a meeting with the employee to discuss the problem
- 1.4 Give the employee time to prepare for the meeting
- 1.5 Allow the employee to bring a support person to the meeting. *(A support person may be a co-worker, family member, friend or union representative. Their role is to support the employee during the meeting, not to speak or advocate for them – see HRPR003a-The Role of a Support Person)*
- 1.6 Conduct the meeting in a private, non-threatening, comfortable and quiet location
- 1.7 Define and explain your concerns to the employee in specific terms
- 1.8 Give the employee a genuine opportunity to respond before considering your actions
- 1.9 Where an employee's performance or conduct is suffering due to the employee's personal circumstances, refer the employee to professional help or counselling
- 1.10 Clearly outline the improvement required and the consequences of continued poor performance or misconduct.
- 1.11 Devise a solution with the employee to improve performance or conduct
- 1.12 Develop an action plan which includes performance or conduct improvement milestones and time frames for further review
- 1.13 Schedule another meeting to review the employee's performance or conduct against the agreed action plan
- 1.14 Document all discussions, including actions to be taken

1.15 Monitor the employee's performance or conduct and continue to provide feedback

2. THE DISCIPLINARY PROCEDURE shall be the following:-

(i) Verbal Warning

The employee shall be told as soon as possible of any unsatisfactory performance or misconduct. A Coordinator and/or Manager will be designated to discuss the issue with the employee and will outline how the employee may meet the standard required. Any assistance required by the employee to meet the standard will be identified. The employee will be given the opportunity to respond to any allegations. The employee will be given a written summary of what took place at the meeting for their personal files, the letter will contain the nature of the offence and the improvement required. (a copy of this letter will be placed on the personnel file.) A review date may be set.

(ii) Written Warning

Should the issue continue or occur again after the verbal warning, the issue/s will then be discussed at a special meeting with the Coordinator and/or Manager. The employee will be given notice to attend the special meeting and will have the right to respond to the allegations. The employee will be given a formal written warning detailing the allegation of unsatisfactory performance or conduct; and the action required to meet the required standard.

The employee will be given the opportunity to respond to any allegations. The employee will be given a written summary of what took place at the meeting for their personal files, the letter will contain the nature of the offence and the improvement required. (a copy of this letter will be placed on the personnel file.) A review date may be set.

(iii) Final Warning (Written)

A third and final warning will be issued if the employee has not taken action to meet the standard of performance or conduct required. The Coordinator and/or Manager shall fully investigate the issue/s and in respect of any meeting for this purpose, the employee will be given the opportunity to put his/her case forward in defence. The employee will be given a formal final written warning detailing the allegation of unsatisfactory performance or conduct; and the action required to meet the required standard. The letter will also state that the next stage in the disciplinary procedure will mean dismissal if further misconduct or poor performance issues are found.

The employee will be given the opportunity to respond to any allegations. The employee will be given a written summary of what took place at the meeting for their personal files, the letter will contain the nature of the offence and the improvement required. (a copy of this letter will be placed on the personnel file.) A review date may be set.

(iiii) Dismissal

If conduct or performance is still unsatisfactory and the employee still fails to reach the standards of conduct and/or performance required following a final written warning, they will be informed that they are required to attend a further disciplinary interview. The Coordinator and/or Manager shall fully investigate the issue/s and in respect of any

meeting for this purpose, the employee will be given the opportunity to put his/her case forward in defence. The employee will be dismissed if the allegation of unsatisfactory performance or conduct fails to meet the required standard.

The employee will be given the opportunity to respond to any allegations. The employee will be given a written summary of what took place at the meeting for their personal files, the letter will contain a summary of this entire process (a copy of this letter will be placed on the personnel file.)

- 2.1 Once an employee has received the appropriate warnings, and has still not demonstrated an ability to correct the unsatisfactory performance or conduct or does not demonstrate a willingness to improve, the employee shall be requested to “show cause”, as to why the employee should not be terminated. The Coordinator and/or Manager shall make a decision based on the evidence and shall either formally discipline the employee or terminate the employment of the employee in accordance with this procedure.
- 2.2 It is not intended in this procedure that Community Connection Incorporated may only terminate an employee for four instances of the same disciplinary matter. Termination may occur for four separate instances of any disciplinary matter where the employee has indicated a lack of intention to adhere to the policies, procedures and guidelines of Community Connection Incorporated and has failed to meet the requirements of Community Connection Incorporated after appropriate warning and/or counselling has taken place.

3. INSTANT DISMISSAL ON THE GROUNDS OF GROSS MISCONDUCT

Instant dismissal on the grounds of gross misconduct shall be enacted under the provisions of this procedure

Where on the balance of probability it is shown that you have engaged in gross misconduct, you will be requested to “show cause” as to why you should not be immediately dismissed.

Due to the status of your contract any period required for you to respond to such “show cause” shall not be paid.

Wilful disregard of Community Connection Incorporated’s standards will be regarded as gross misconduct and may result in instant dismissal. Examples of gross misconduct include the following, although the list is not exhaustive:

- a. The maltreatment or mistreatment of an Individual with a disability who is supported by you; or,
- b. The detriment of the employer or, breaches of the Confidentiality Agreement incorporated into this contract that are detrimental to Community Connection Incorporated or the person supported; or,
- c. Being found to be in breach of the *Anti-Discrimination Act (1991)*; or, other legislation that applies to the Disability Sector.
- d. Acts of assault; or,
- e. Acting in an unethical or fraudulent manner; or,
- f. Being under the influence of alcohol or a prohibited drug while at work; or,
- g. Theft; or,
- h. Is found guilty of a criminal offence that affects the employees’ ability to carry out his/her duties and responsibilities or brings the employer into disrepute; or prevents the employee from satisfying the requirements to hold a Yellow and/or Blue Card.
- i. Failure to obey any lawful and reasonable direction, given by the employer or their representative; or,
- j. Conduct by the employee that causes imminent and serious risk to –
 1. the service user’s health or safety;
 2. the reputation or profitability or viability of the employer’s business.

All actions taken will comply with the National Employment Standards.