5.11 Counselling and Discipline Policy

**Purpose**

The purpose of this policy is for <Insert Organisation Name> to have clear strategies and processes where disciplinary action needs to be taken.

**Background**

Counselling and discipline processes are used in <Insert Organisation Name> to identify work performance issues and find solutions and to outline processes when behaviour is unacceptable. <Insert Organisation Name>’s Code of Conduct and Values document what is considered acceptable behaviour at <Insert Organisation Name> and the expectations of volunteer conduct in the workplace.

**Policy**

<Insert Organisation Name> acknowledges people may occasionally have issues that will affect their performance in the workplace. There are a range of behaviours and circumstances that can affect a volunteer’s work performance. When a performance issue is first identified the process of counselling is often the most appropriate strategy, to make changes or to solve workplace issues before they escalate into major performance issues. During a counselling process a review meeting should be set and performance expectations should be clearly documented and reviewed at an agreed time. If a situation has not been resolved through counselling or is a more serious issue a disciplinary process may be initiated.

Disciplinary action may be used where:

* there has been a breach of <Insert Organisation Name>’s policies, rules or regulations;
* performance does not meet an acceptable level; or
* conduct is unacceptable.

<Insert Organisation Name> is committed to utilising a disciplinary process that is fair and expedient. <Insert Organisation Name> also acknowledges the importance of procedural fairness where disciplinary processes are used. Whilst both counselling and disciplinary processes aim to solve workplace issues, volunteers should be aware that a disciplinary action can result in termination of their work with <Insert Organisation Name>. For this reason, volunteers will always be invited to bring a support person or union representative to any disciplinary process.

All processes will be confidential and documented, and copies of documentation will be provided to the volunteer. All warnings, interviews, reviews and outcomes during the counselling and disciplinary processes will be documented and stored in the volunteer’s personnel record. Where there is impending dismissal for a volunteer as a result of an ongoing disciplinary process or where instant dismissal is required, the CEO will be informed.

In some situations due to the seriousness of the behaviour or incident, it may not be possible for <Insert Organisation Name> to allow the volunteer to continue their work. In these situations termination may be immediate, although an interview may be required to establish the facts of the situation.

The following may constitute serious misconduct and hence warrant instant dismissal:

* Theft of any organisation property or funds;
* Wilful damage of any organisation property;
* Serious neglect of duty (this may include behaviour or lack thereof that results in a risk or actual harm to others);
* Conduct that may injure the reputation of <Insert Organisation Name>;
* Failure to comply with a reasonable or lawful direction by management;
* Harassment of any employee, volunteer or client particularly in relation to race, gender, sexuality or religion;
* Intoxication through alcohol or other substances during working hours;
* Physical violence on <Insert Organisation Name>’s premises or abuse of employees or volunteers;
* Falsification of any organisation records for personal gain or on behalf of any other employee or volunteer;
* Conduct which could harm the health or safety of staff, volunteers or the general public;
* Serious breach of confidentiality;
* Conviction of an offence which renders the volunteer unfit for work;
* Any other matter considered to be misconduct that justifies summary dismissal in common law.

**Responsibility**

This policy applies to all volunteers; its application lies with the CEO, <Insert Position> and supervising staff.

**Standards**

1.1-1.4, 2.1-2.3, 3.3, 4.4, 5.1, 5.4, 5.5, 6.1-6.3, 8.1, 8.4

**Related Policies and Procedures**

* Counselling and Discipline Procedure
* Commitment to Volunteer Involvement Policy
* Risk Management Policy and Procedure
* Anti-Discrimination and Harassment Policy and Procedure
* Work Health and Safety Policy and Procedures
* Communication with Volunteers Policy and Procedure
* Volunteer Supervision Policy and Procedure
* Grievance and Dispute Resolution Policy and Procedure
* Volunteer Confidentiality Policy and Procedure
* Documentation and Records Policy and Procedures
* <Insert Organisation Name> Staff Counselling and Discipline Policy and Procedure
* <Insert Organisation Name> Staff Confidentiality and Privacy Policy and Procedure

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| Approved | CEO, | Signature |  |
| Review | Annual | Next Review Date |  |