

Sail HYSTS Discipline and Grievance Procedures

1) Discipline and Non-Adherence to Sail HYSTS Values

- a) Anybody using or working within the Scheme may encounter problems or have concerns they would like resolved. This might be observation of discriminatory or unequal treatment of another individual. It might be a concern about a person's work, working conditions or relationships with colleagues.
- b) Cases of minor misconduct or unsatisfactory performance are usually best dealt with informally. A quiet word in confidence to an instructor, volunteer or participant is often all that is required. In situations where matters are more serious or where an informal approach is unsuccessful a formal investigation will take place. Depending on the severity of the matter, it may also be referred to the appropriate authorities, e.g. Police or RYA. **Safeguarding related matters will be dealt with under the Sail HYSTS Safeguarding Policy.**
- c) If a sailor (young person) is behaving in way that is disruptive or contrary to Sail HYSTS Values, the Principal will discuss the situation with their parent/guardian. If there is a repetition, the Principal, taking advice of the Chair of Trustees and Chief Instructor, may decide the young person will not be accepted for future sailing sessions.
- d) The Principal will advise the parent/guardian of the ongoing complaint and will notify them of the action decided.

2) Formal Grievances

- a) Formal grievances are concerns, problems or complaints that instructors, volunteers, or young people or their parent/guardian, raise with another volunteer or a trustee that are more serious or where an informal approach has not been successful. The person being informed of the grievance must inform the Principal of it without delay. (If the grievance relates to the Principal they must instead inform the Chair of Trustees).
- b) The person raising the grievance must inform the Principal (or Chair of Trustees if the grievance relates to the Principal) of the nature of the grievance and issues as soon as possible, preferably immediately. The Principal (or Chair of Trustees) will decide if a Formal or Informal approach is required.

3) Formal Grievance Process

- a) This formal grievance procedure must not be used until informal communications (see section 1) above) have been ineffective, or where the complaint is considered by the Principal too serious to be dealt with informally.
- b) A formal grievance must be submitted in writing to the Principal (or to the Chair of Trustees if the grievance relates to the Principal). The document must describe in full the grievance. The person against whom the complaint is made will be informed about the complaint and may be suspended from sailing or volunteering during the formal grievance process.

- c) The Principal will arrange a formal meeting with the person making the complaint and another trustee without delay, keeping the Chair of Trustees informed. The meeting will allow the person making the complaint to explain their grievance and how they would like it resolved. The Principal will consider all aspects of the grievance and verify the facts. The meeting may be adjourned, if necessary, to gather further information. If the grievance is agreed to be upheld, a meeting will be conducted by the Principal, the other trustee, and the person about whom the complaint has been made (who may be accompanied by an independent third party).
- d) **NOTE: While the investigation is in process, the Sail HYSTS officials must decide whether or not there is a case to answer. We must not have both individuals involved in the grievance in the same room until we have taken and considered evidence from them both.**
- e) Based on the discussions at both meetings, the Principal and trustee will consider the matter and make a recommendation to the Management Committee.
- f) All investigations will be sensitive to the needs of both individuals involved in the grievance. All records from the meetings will be retained in compliance with Sail HYSTS Data Protection Policy.
- g) Following information and evidence gathering, a decision regarding appropriate action will be made by the Principal together with the other involved trustee. The Principal will discuss their decision with the Chair of Trustees. The decision will then be communicated to both individuals involved without delay, in writing, and they will both be advised of the appeal procedure. The grievance may be upheld, partially upheld or dismissed. Outcomes may include suspension from Sail HYSTS, mediation or mutually agreeable resolution. Either individual involved may appeal the decision. The outcome and details are confidential.
- h) Volunteers and trustees should be aware of the dangers of gossip or bullying in the aftermath of a grievance being raised. Emerging lessons for improving ways of working will be shared with the Management Committee.

4) Grievance Appeal Procedure

- a) Both individuals involved in the grievance have the right to appeal the decision by formal letter to the Chair of Trustees, setting out the grounds of appeal within fourteen days of the outcome letter.
- b) They will be both be invited to an appeal meeting within three working weeks convened by the Chair of Trustees assisted by a Trustee who was not involved in the original case. The appeal decision will be final and given in writing within two working weeks of the meeting.
- c) The Chair of Trustees will review any new evidence, and then decide to uphold the original outcome, dismiss it, decide upon an alternative outcome, or call for more information before making a final decision.
- d) The appeal outcome will be communicated without delay in writing to both individuals involved. They will be told the decision is final. The decision will be communicated to the Management Committee.