

# Youth with a Mission (YWAM) England

## Disciplinary Procedures

### Purpose and scope

YWAM England's aim is to help and encourage all its staff, trainees, interns, volunteers, contractors and trustees (henceforth to be called staff) to achieve and maintain standards of conduct, attendance, and ministry/work performance.

This procedure applies to all individuals who undertake work on behalf of a YWAM England Charity, and sets out the action which will be taken when policies and procedures are breached. The aim is to ensure consistent and fair treatment for all in YWAM England.

Staff acknowledge their acceptance of this policy by signing of their volunteer agreement and it forms part of their terms and conditions.

### Principles

All staff are subject to ministry/work reviews. They may be conducted by telephone, online or in person, as appropriate, and be carried out by a line leader, location leader or a member of the Board of trustees.

The reviews enable performance and conduct to be assessed and informal action may be considered in order to resolve any issues. Such informal action may include asking a staff member to step down from their roles if their commitments are not being met.

With our values of team, being relationship oriented and valuing the individual and integrity in communication, most issues that arise will be resolved through a relational approach and through informal action. No formal disciplinary action will be taken against a staff member until the case has been fully investigated. For formal action, the person will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made. The person being investigated will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.

At the disciplinary meeting, the person will have the right to be accompanied by a work colleague. No person will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice. A person will have the right to appeal against any disciplinary action. (Please see section on appeals below).

The procedure may be implemented at any stage if the person's alleged misconduct warrants this and is deemed to have contravened the guidance set out in YWAM England's Code of Conduct and Safeguarding Policy.

## The Disciplinary Procedure

### **Stage 1 – Verbal warning**

If conduct or performance is unsatisfactory, the person will receive a verbal warning which will be noted in their staff file. Such warnings will be recorded but disregarded for disciplinary purposes after three months of satisfactory service. It may be justifiable to move directly to a final written warning in some cases.

### **Stage 2 – Written warning**

If conduct or performance is unsatisfactory, the person will be given a written warning or performance note. Such warnings will be recorded in their staff file but disregarded for disciplinary purposes after six months of satisfactory service. It may be justifiable to move directly to a final written warning in some cases.

### **Stage 3 – Final written warning**

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the relevant worker and recorded in their staff file to be kept on file. This will include the reason for the warning, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal. A copy of this written warning will be kept on file but disregarded for disciplinary purposes after twelve months, subject to achieving and sustaining satisfactory conduct or performance.

Sanctions and protocols which may be imposed at any stage of the disciplinary process include, but are not limited to:

- Standing a person down from their role for a defined period of time.
- Removing a person from their current ministry/role
- Requiring the person to provide a written apology to any or all relevant persons
- Prohibiting the person from taking on other work for a set period
- Facilitating an agreed transfer to another YWAM location
- Requiring the person to attend further training
- Requesting that a person works under different supervision for a set period
- Requiring that a person receives counselling, mental health services and an increase of pastoral care
- A combination of the above.

### **Stage 3 – Dismissal/termination of a volunteer's time commitment**

If the conduct or performance has failed to improve the person's time commitment may be terminated with or without notice.

## Gross Misconduct

If, after the case has been fully investigated, a person is deemed to have committed an offence including in the following list (though this is not an exhaustive list), then the person could have their time commitment terminated with immediate effect.

- Theft, fraud, or act of dishonesty
- Deliberate and serious damage to property
- Physical violence, extreme coercive behaviour or serious abusive behaviour towards others
- Incapacity for work due to being under the influence of alcohol or illegal drugs
- Failure or refusal to obey a reasonable instruction without good reason
- Transmitting confidential information outside the organisation
- Serious breach of health and safety obligations
- Serious breach of organisation's code of conduct and safeguarding requirement
- Serious misuse of computer, email, or internet facilities
- Bringing the organisation into disrepute.

Whilst the alleged gross misconduct is being investigated, a member of staff will be asked to stay away from the workplace and to not undertake any duties on behalf of YWAM during this time.

### Appeals

A person may appeal against any disciplinary decision and must do so within five working days of receiving notification of such a decision. The appeal must be made in writing and outline the grounds for the appeal. The appeal will be chaired by a panel of three leaders within YWAM England who were not involved in the original disciplinary decision. The panel will be chosen by the Leadership team/Trustees of the relevant location or by the National Elders' Core Team or YWAM England Trustees. Panel members can be chosen from other YWAM locations. The panel must be gender/culture sensitive and trauma informed, and must not have any kind of relationship with the people concerned in the situation. Conflict of interest in these matters could be construed as a separate disciplinary issue. The decision made at the appeal hearing panel will be final.

### Definitions of Misconduct and Gross misconduct

(agreed by National Leadership Team 2008).

In the broadest sense misconduct is the improper interference with the functioning of YWAM, or those who work or study with YWAM or action which otherwise damages or is likely to damage YWAM, or its good name or reputation.

Action may also be taken about misconduct that takes place outside YWAM premises. This includes local or overseas outreach, as well as social activities connected with staff.

Disciplinary action may be taken against a member of staff where an allegation is made by any person that a member of staff has committed misconduct, examples of which include but are not limited to the following:

## Misconduct

- Obstruction of, or improper interference with, the functions, duties or activities of any member of staff of YWAM or any authorised visitor;
- Action likely to cause injury or impair safety on YWAM premises, including but not limited to any breach of YWAM's Code of Conduct either in England or overseas;
- Damage to, or defacement of, YWAM property or the property of other members of the community caused intentionally or recklessly and misappropriation of such property;
- Misuse or unauthorised use of YWAM premises or items of property, including but not limited to computer misuse;
- Behaviour that brings YWAM into disrepute.

## Gross Misconduct

- Violent, indecent, disorderly, threatening or offensive behaviour or language whilst on YWAM premises or engaged in any YWAM activity;
- Fraud, deceit, deception or dishonesty in relation to YWAM or its staff or in relation to being a student with YWAM;
- Personal, sexual or racial harassment of any trainee or member of staff of YWAM or any authorised visitor;
- Conduct which constitutes a criminal offence where that conduct;
  - Took place on YWAM premises, or
  - Affected or concerned other members of the YWAM community, or
  - Damages the good name of YWAM, or
  - Itself constitutes misconduct within the terms of this document.

Please note that this is not a full or complete list and that YWAM will also take seriously any actions that conflict with the purposes and values of the ministry or school or with which they are involved.

## LEGISLATION and supporting documents

YWAM England is fully committed to ensuring compliance with national legislation for Charities, statutory and other guidance i.e. relevant UN and International Standards and Commitments. When operating internationally, we expect all YWAM England representatives to respond in compliance with this Disciplinary policy.

This Disciplinary policy should be viewed in conjunction with:

Code of Conduct – <https://www.ywamsafeguarding.co.uk/policies>

Whistleblowing policy – <https://www.ywamsafeguarding.co.uk/policies>

Safeguarding policy – <https://www.ywamsafeguarding.co.uk/policies>

Commitments made by YWAM - <https://ywam.org/for-ywamers/documents-for-ywamers/>

YWAMs Purpose, beliefs and foundational values - <https://ywam.org/about-us/values/>

GDPR Policy - <https://www.ywamengland.org/privacy-notice>