

Document Title	
APPNE Complaints and Disciplinary Policy	

Document Description	
Document Type	Policy
Service Application	APPNE wide
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Lead Author(s)	
Name	Sohail Qureshi
Title	Joint Secretary of APPNE

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Executive Summary Sheet
Document Title: APPNE Complaints and Disciplinary Policy

Please tick as appropriate	This is a new document with the Organisation	<input checked="" type="checkbox"/>
	This is a revised document with the Organisation	<input type="checkbox"/>

What is the purpose of this document?

This policy is designed to ensure that all members are dealt with fairly and consistently in complaints and disciplinary matters.

What key issues does this document explore?

This policy sets out the procedure for dealing with complaints and disciplinary matters within the Organisation.

Who is this document aimed at?

All members

How and when will this document be reviewed?

The policy will be reviewed annually by the APPNE President, General Secretary and Joint Secretary

CONTRIBUTION LIST

Key individuals involved in developing the document.

Name	Designation
President General Secretary Joint Secretary	

Circulated to the following for consultation.

Name/Committee/Group	
APPNE	All members

Version Control Summary

Significant or Substantive Changes from Previous Version

A new version number will be allocated for every review even if the review brought about no changes. This will ensure that the process of reviewing the document has been tracked. The comments on changes should summarise the main areas/reasons for change.

When a document is reviewed the changes should use the tracking tool to clearly show areas of change for the consultation process.

Change History – Version Control		
Version	Date	Comments
1.0	June 2023	

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1.0 Introduction

It is the responsibility of all members to know the rules and accepted standards of behaviour. APPNE is committed to providing fair, consistent and a proportionate approach to the handling of complaints and disciplinary matters. The Complaints and Disciplinary policy and procedure is designed to provide an open and transparent route for complaints to made under this procedure, to be resolved fairly and within a reasonable period and corresponds to General Medical Councils' Good Medical Practice guidelines following the ethos of honesty, integrity, and probity. It is the Organisation's intention to promote a culture where it is safe and acceptable for any person to raise any complaint or concerns including those of poor practice, bullying or harassment, neglect, abuse, or other forms of misconduct. No person should be victimised for raising concerns or making a compliant.

2.0 Purpose

The purpose of this policy is to establish a standardised procedure for handling complains and disciplinary matters, ensuring that all matters are dealt with fairly.

3.0 Scope of policy

This policy covers all complaints and disciplinary matters within the Organisation.

4.0 The Procedure

- All complaints will be made in writing to the Joint Secretary (JS) as the Complaints Officer.
- Acknowledgement of the complaint will be immediate.
- The JS will appoint a panel of three from the trustees and executive board to investigate the complaint. If a compliant is against any office bearers, the panel must include an office bearer, a trustee, and a senior executive member. If the complaint is against any executives, then the panel will include two office bearers and an executive. If the complaint is against a member, then one member from the executive council and a member will b included. The panel will always be a minimum of three members and Joint Secretary will lead the complaint procedure.
- The panel of three will be different on each complaint.
- No disciplinary action will be taken until the complaint has been investigated.
- There will be the opportunity to state your case and you will have the right to appeal against any disciplinary penalty imposed.
- Timescale of completed outcome of complaint and decision will be six weeks.
- Timescale of Appeal process outcome will be six weeks.

Stage 1 – verbal warning

If your conduct or performance does not meet the acceptable standards, you will be invited by the Panel to attend a disciplinary meeting. The meeting will take place before action is taken, except in the case where the disciplinary action consists of suspension. The meeting must not take place until the Panel has informed you of the grounds why disciplinary action is being contemplated and until you have had a reasonable opportunity to consider your response to that information. You must take all reasonable steps to attend the meeting. If you unreasonably fail to attend the meeting, the meeting may proceed in your absence. At the meeting, you will have an opportunity to comment on the complaints against you. You may be accompanied by another member of the Organisation. After

the meeting, the Panel must inform you of its decision and notify you of your right to appeal against the decision, if you are not satisfied with it.

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Stage 2 – written warning

If the offence is a serious one or if your misconduct continues or is repeated or you commit a further offence of a different nature, you will be invited to attend a disciplinary meeting, in accordance with the above paragraph. The exact nature of the Organisation's complaint against you will be explained in full. If the member of the Panel believes it to be justified, you will be given a written warning that if your conduct does not improve during the period stated in the warning, the instigation of stage 3 will be considered, or you may be dismissed.

Stage 3 – final written warning.

If your misconduct is sufficiently serious or if, following a written warning, there is further misconduct (whether or not of the same nature) within the period stated, you will be invited to attend a disciplinary meeting, in accordance with the stage 1 procedure of this policy by the Panel, as appropriate, who will decide on the action to be taken. You may be given a final written warning which will give details of the complaint and will warn that you will be dismissed if there is no satisfactory improvement.

Stage 4 – dismissal

If your conduct is sufficiently serious or if your conduct is still unsatisfactory following a final written warning and you are still failing to reach the required standards, you will be invited to attend a disciplinary meeting in accordance with stage 1 of this policy. However, this level of misconduct or will usually result in dismissal. The decision to dismiss will be taken by the Panel, as appropriate. If you are dismissed, you will be provided, as soon as reasonably practicable, with written reasons for the dismissal.

The Organisation also reserves the right to take disciplinary, regulatory, and legal action against any member where necessary.

5.0 Disciplinary Meeting

The meeting will take place before action is taken, except in the case where the disciplinary action consists of suspension. The meeting must not take place until the Panel has informed you of the grounds why disciplinary action is being contemplated and until you have had a reasonable opportunity to consider your response to that information. You must take all reasonable steps to attend the meeting. If you unreasonably fail to attend the meeting, the meeting may proceed in your absence. At the meeting, you will have an opportunity to comment on the complaints against you. You may be accompanied by another member of the Organisation.

6.0 Suspension

At any time during the procedure, you may be suspended from the Organisation while further investigations are made. Such suspension is a precautionary measure only and does not constitute a

disciplinary sanction. The suspension will last for no more than five working days initially but may be renewed or extended at the discretion of the Panel.

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7.0 Appeals

If you feel that you have been unjustly disciplined you may appeal at and after any stage of the disciplinary procedure to the Joint Secretary in writing, setting out your grounds of appeal within five working days of the dismissal or other disciplinary action. All appeals will be heard usually within ten working days of receiving your grounds for appeal and the decision will be final. An appeal against any disciplinary penalty will always involve a further hearing to be attended by you and by the person hearing the appeal to discuss the matter further. At the appeal any disciplinary penalty made will be reviewed but it cannot be increased. You must take all reasonable steps to attend the appeal meeting. If you unreasonably fail to attend the meeting, the meeting may proceed in your absence. The appeal meeting need not take place before the dismissal or disciplinary action takes place. The outcome of the appeal will be set out in writing and sent to you as soon as possible after the appeal has been held. Any decision on the appeal will be final.

8.0 Gross Misconduct

Gross misconduct includes (but is not limited to):

- serious act of insubordination
- indecent or immoral behaviour
- serious infringement of the Organisation's Social Media Policy
- serious breach of APPNE constitution
- breach of confidentiality
- theft, fraud, or deliberate falsification of records
- fighting, assault or attempted assault on another person, or any violence or threats of violence
- deliberate damage to the Organisation's property.
- misuse of the Organisation's name
- working under the influence of alcoholic drink or illegal drugs or other prescribed substances
- sexual, racial or disability discrimination (including harassment) in relation to another member or any other third party to whom the Organisation may owe a duty to prevent such discrimination.
- serious negligence which causes unacceptable loss, damage, or injury

