



Disciplinary Procedure

Introduction

This procedure applies to any member of the Company, and any member of a show production team (i.e. director, musical director and choreographer). For the purposes of this procedure the term “member” is used throughout.

The purpose of the Disciplinary Procedure is to outline a recognised and consistent system to deal with any misconduct. The objective is to emphasise and encourage improvements in individual conduct.

Examples of misconduct include persistent lateness, unauthorised absence, inappropriate behaviour towards other members, etc.

Informal Stage

Minor misconduct will normally be dealt with initially on an informal basis. The formal procedure would only normally commence if informal intervention did not result in an adequate improvement.

Such informal discussions should not be officially recorded and it will be made clear that they do not form part of the formal disciplinary procedure.

Formal Stage

Investigation

A member of the Committee (the Investigating Officer) will conduct an investigation to establish the facts in relation to any complaints or allegations of misconduct. This may include talking to witnesses, including the alleged perpetrator and gathering evidence if available and appropriate (e.g. documents, emails, social media messages, etc.)

Suspension

In some cases the member in question may be suspended from Company activities (e.g. rehearsals) whilst the investigation is conducted. Suspension will only be initiated following careful consideration by the Chair and/or Investigating Officer, and would only normally take place where children or vulnerable adults may be at risk, where the continued presence of the member could hamper the investigation, where the Company’s reputation may be damaged or where the nature or seriousness of the allegation determines that suspension is appropriate.

Any suspension should be for as short a period as possible, and the decision to suspend must be reviewed and reconsidered in the event that it is maintained in excess of two weeks.



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Disciplinary Meeting

The Investigating Officer will present the outcome of the investigation, including all evidence gathered, to the rest of the Committee. If disciplinary action is considered appropriate the Chair will contact the member in question setting out the allegation(s) they face, explaining the possible outcome of the process (e.g. potential penalty), giving them copies of all the evidence to be relied upon, and setting a date for a formal disciplinary meeting. The member will be advised that they may be accompanied by a fellow member if they wish.

The Chair will be accompanied by the Investigating Officer at the disciplinary meeting, so that he or she may answer any questions about the investigation. It may be appropriate for a note taker to attend also.

At the meeting, the member will be given the opportunity to respond fully to the allegation(s).

The findings from the meeting will be fed back to the Committee and the Committee as a whole will decide on an appropriate outcome. The outcome will be conveyed to the member, normally within two weeks of the disciplinary meeting. The outcome may either be a disciplinary penalty (see below), no disciplinary action where the allegations are not upheld, or counselling of the member where the outcome does not warrant a disciplinary penalty.

Disciplinary Penalties

Written warning

In the case of misconduct or poor performance the member may be given a formal written warning. This should include the reasons for the warning, that it is the first step in the disciplinary process and that they have the right of appeal. The warning should also state that a final written warning might be considered if the desired change doesn't occur or if they commit any further misconduct.

The written warning will be issued to the member as soon as possible after the decision is conveyed and a copy held by the Secretary. It will be disregarded for disciplinary purposes after 12 months.

Final written warning

Where there is failure to improve the behaviour or performance, or an infringement which is considered sufficiently serious the member may be given a final written warning. This should include the reasons for the warning and that they have the right of appeal. The warning should also state that dismissal from the Company may occur if the desired change doesn't occur or if they commit any further misconduct.



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The final written warning will be issued to the member as soon as possible after the decision is conveyed and a copy held by the Secretary. It will be disregarded for disciplinary purposes after 12 months.

Dismissal

Where there is failure to improve the behaviour or performance following a final written warning, or in the case of gross misconduct (see below) the member may be dismissed from the Company.

A letter confirming the dismissal will be issued to the member as soon as possible after the decision is conveyed, and it will set out their right to appeal.

Appeal

Members have the right to appeal against any disciplinary outcome, including dismissal, within one calendar week of receiving written confirmation. Any appeal should be made in writing to the Chair and set out the grounds for the appeal. The Chair will consult with the Committee in determining the outcome of the appeal.

Where appropriate a meeting will be held with the member and a number of Committee members normally within 2 weeks of receipt of the appeal. The member is entitled to be accompanied by another member at any appeal meeting.

The outcome of the appeal will be provided to the member in writing. The decision reached at the appeal stage is final and there is no further right of appeal.

Gross Misconduct

This is the term used for serious misconduct which may lead to instant dismissal (that is, summary dismissal). Acts that constitute gross misconduct are those that are so serious that they fundamentally undermine the member's relationship with the Company.

The following are examples of Gross Misconduct offences. This list is not exhaustive.

- Serious breach of the Company's safeguarding policy
- Fighting, physical assault or dangerous horseplay
- The use of threatening or aggressive behaviour or excessive bad language
- Being abusive to members
- Theft
- Fraud or any other illegal offence committed against the Company
- Breach of safety rules and/or any action which seriously endangers the health or safety of a member or any other person whilst engaging in Company activities (e.g. performances, rehearsals, etc.)
- Bullying or harassment



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- Sexual harassment or assault
- Serious incapability brought about by alcohol or illegal drugs
- Conduct that has the potential to bring the Company into disrepute