

TfS GRIEVANCE & DISCIPLINARY PROCEDURES

Rutledge must ensure that each learner has access to clear written procedures on grievance and disciplinary matters, and is informed of those procedures at the start of training. In disciplinary matters, a learner must not be treated any less favourably than an employee of the Supplier. Short-term suspension without Education Maintenance Allowance (EMA) may be invoked as part of the disciplinary procedure, when the procedure has reached the first written warning stage. It must be used only in exceptional circumstances. Suspension without EMA must not last for more than two days.

- A learner may be accompanied by a parent/guardian, fellow learner, or Trade Union representative during disciplinary interviews.
- Less serious disciplinary offences (absenteeism, lateness etc.) must be dealt with by a verbal warning for a first offence, followed by a written warning, a final written warning and ultimately dismissal from training.
- Cases of frequent unauthorised and casual sick absences must be treated as follows:
 1. A learner who accumulates 10 days unauthorised and/or casual sick absences (in any combination) during three consecutive claim periods must receive a written warning advising that the level of absence is causing concern and, if continued, will lead to a suspension from training.
 2. A learner who accumulates 15 days unauthorised and/or casual sick absences during three consecutive claim periods must be suspended from training for a period of eight weeks. Unauthorised or casual sick absences incurred prior to the period of suspension must be disregarded when a young person returns to training.
 3. A learner who subsequently accumulates 10 days unauthorised and/or casual sick absence, in the 12 months from the date of return to the Provision following suspension for persistent absence (as detailed above), must be dismissed from training and will not be permitted to re-enter.
 4. Where periods of unauthorised or casual sick absence below the level of 15 days in any three consecutive periods are persistently incurred, Rutledge must take appropriate disciplinary action.
- In the case of serious misconduct, a learner must be given a verbal warning, first written warning, followed by a final written warning for a second offence, and then

dismissal. If the offence is deemed to be gross misconduct, dismissal action may be taken immediately.

- A learner may only be dismissed by Rutledge for serious misconduct following discussion and agreement with Training Programmes Branch. A learner must be advised immediately of dismissal in writing. The SSA must be advised immediately of a learner who is receiving Income Support who is dismissed from training.
- A learner who is dismissed from training in cases other than gross misconduct will not be permitted to re-enter Training for Success until a period of eight weeks has elapsed since the last day of training. If a young person wishes (and is eligible) to rejoin Training for Success on expiry of the eight-week period, an agreement to observe the Code of Conduct and attendance stipulated by Rutledge must be signed by the young person.
- A learner will have a final right of appeal against dismissal to the Head of Training Programmes Branch. The written appeal must be received in Training Programmes Branch within 21 days of issue of dismissal letter. On receipt of the written appeal, Training Programmes Branch will arrange within 10 working days, a three-person panel of independent Careers Advisers/Managers and a TPB Officer. This panel will meet with the learner and their representatives in a neutral venue.
- It is essential that a written record of all verbal and written warnings is retained in the learner's personal record. A learner must countersign the record of warnings. (A learner will only be allowed to have a total of three separate incidents of serious misconduct and, should a further case arise, they will not be permitted to re-enter Training for Success).
- A learner's expected completion date will not be extended by any absences resulting from the disciplinary process. In the case of successful appeal, the learner will receive the balance of weeks on training which will include weeks for which they were suspended.
- Following re-entry, if a learner is again properly dismissed by Rutledge for reasons other than gross misconduct, the learner will not be permitted to re-enter Training for Success until a further period of eight weeks has elapsed. A learner re-entering Training for Success in such circumstances is subject to the normal rules of entry.
- A learner who is dismissed from training on the grounds of gross misconduct will not be permitted to re-enter Training for Success until a period of 13 weeks has elapsed since the last day of training. If a learner wishes (and is eligible) to rejoin Training for Success on expiry of the 13-week period, an agreement to observe the Code of Conduct and attendance stipulated by the Supplier must be signed by the learner. A learner will only be allowed a total of two separate incidents of gross misconduct and, should a further case arise, they will not be permitted to re-enter Training for Success. All cases of gross misconduct must be submitted in writing, outlining the nature of the offence to Training Programmes Branch for approval to be allowed to re-enter Programme-Led Apprenticeships.

- Rutledge must be careful that a learner recruited by them is not currently subject to a period of suspension from training due to dismissal by a previous Training Provider.

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