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8.3.6.1 Grievance Policy.

STRPS volunteers will have the opportunity to be given a hearing concerning any grievance they may have in connection with their volunteering on the railway and to have the matter settled fairly and as quickly as possible.

8.3.6.2 Grievance Procedure.

Anyone with a grievance should in the first instance approach the STRPS Chair of Trustees who will make provision for every effort to be made to resolve the issue informally at this stage without needing to invoke the STRPS formal procedure.

If the volunteer is not satisfied with the outcome of informal resolution you are not satisfied with the outcome of informal resolution the following formal procedure should be used.

8.3.6.2.1 Grievance Procedure Steps.

Step 1: The grievance should be set out in writing and submitted to the Chair of Trustees.

Step 2: You will be invited to attend at least one meeting with the Chair of Trustees to discuss your grievance, following which you will be informed in writing of the outcome of your grievance and the right of appeal.

Step 3: If you are not satisfied that your grievance has been satisfactorily resolved and you wish to appeal, you must inform the Chair of Trustees in writing within 5 working days of the outcome of your grievance meeting.

A meeting will then be arranged with other members of the STRPS Board of Trustees who were not previously involved and any necessary further investigation will be carried out, following which the STRPS's final decision will be conveyed in writing to you. There will be no right to a further appeal.

8.3.6.3. Disciplinary Policy.

STRPS believes it to be important that its rules are clear and made available to and understood by all its volunteers.

Disciplinary rules, therefore, define the standards which the STRPS expects of its volunteers in terms of conduct and performance. This section of the SMS is designed to provide a fair method of dealing with alleged shortcomings in either conduct or performance.

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Not all failures to comply with rules are of equal importance and neither do they require the same degree of action. It is in the best interests of all involved that, wherever possible, appropriate informal guidance as to the required standards and behaviour can be given by management supervision at the time of any shortfall.

However, all STRPS volunteers need to know that there is a formal disciplinary procedure which will be used for serious transgressions or for repeated minor incidents where an informal approach has already been made but which has not resulted in the required improvement.

8.3.6.3.1 Standards of discipline:

Standards of discipline have been established under 4 headings:

8.3.6.3.1.1 Minor offences:

These are misdemeanours which include:

- Work errors and poor workmanship.
- Minor breach of STRPS rules.

8.3.6.3.1.2 Serious offences.

These can be a repetition of minor offences or may be a one-off offence such as:

- Refusal or failure to comply with reasonable working instructions.
- Unauthorised absence from work or rostered duties without contact.
- Infringement of STRPS Health and Safety rules.

8.3.6.3.1.3 Gross Misconduct.

Any deliberate act that is severely detrimental to the good conduct of STRPS or harmful to other STRPS volunteers will be regarded as “gross misconduct” and will render the offender liable to suspension pending investigation and possible disciplinary action.

Such offences might be:

- Theft from STRPS and / or its volunteers.
- Wilful damage to the company’s property, plant, or equipment.
- Physical assault on another person at work.
- Harassment, discrimination, bullying, threatening behaviour or manner (including behaviour of a sexual, racial, or religious nature, or against someone with a disability) at work.

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- Serious negligence or a deliberate act which causes or might cause unacceptable loss, damage, or injury to STRPS or its volunteers or which endangers the safety of others.
- Any act of dishonesty with regard to STRPS financial procedures.
- Falsification of work records.
- Being under the influence of, or in possession of, alcohol, drugs, or non-prescribed medication when on duty.

The above are examples only and do not constitute an exhaustive list. Each case will be considered on its own merits.

8.3.6.3.1.4 Operational Volunteer involved in a Safety Critical Incident.

When an operational volunteer is involved in a safety critical incident they will be verbally suspended from duty with immediate effect by the Duty Operations Manager.

Suspension in this situation will be immediate and not subject to the steps outlined in STRPS Section 8.3.6.3.

The volunteer will receive confirmation in writing of the suspension as soon as practicable after the incident.

The volunteer will be expected to make a written statement on the circumstances of the incident in accordance with STRPS SMS Section 11.

Suspension from duty will be for as short a period of time as necessary and compatible with the safe operation of the railway.

Suspension Procedures

- **Safety Critical Grounds:** Drivers may be suspended if their health, competence, or fitness to drive is called into question, or if they are involved in safety incidents.
- **Regulatory Action:** The ORR may suspend or withdraw a train driving licence if a driver no longer complies with regulatory standards.
- **Operator Action:** Railway undertakings must monitor drivers and may suspend or withdraw a driver's train driving certificate after reviewing their performance or if they receive a formal request to do so.
- **Disciplinary Process:** Suspensions usually follow a disciplinary policy, which includes investigations, potential interim suspension, and a formal hearing.
- **Interim Measures:** Pending investigation, a driver may be prohibited from driving to ensure safety.

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Return to duty will be permitted when:

- The incident investigation has been completed and the underlying causes of the incident have been established.
- The outcome of any such investigation may be a requirement for retraining or a formal disciplinary hearing with possible disciplinary action as a result.
- A return to duty interview has taken place with the STRPS Chair of Trustees / STRPS Head of Safety.
- The return to duty is confirmed in writing by the STRPS Chair of Trustees.

Return to duty will only be permitted when the procedures listed below are complete:

Examples of safety critical incidents include:

Derailment of a passenger train, signal passed at danger, injury to a passenger who falls from the train due to a door not being secured, excessive speed of a train, deliberate failure to take on adequate water on a steam locomotive. This list is not exhaustive and there will be other safety critical incidents that may lead to suspension and further action.

8.3.6.3.2 Formal Disciplinary Procedure.

An essential aspect of the disciplinary and appeal procedure is the requirement for fairness. All actions taken and meetings held will be recorded in writing at the time. The intention is to make the situation clear and to minimise the risk of misunderstanding between those involved.

If an STRPS volunteer who is subject to disciplinary proceedings expresses difficulty either in putting his / her case in writing or in understanding any written statement or sanction, support will be offered without prejudice to the outcome. Any support person should be otherwise not involved in the disciplinary procedure.

In addition volunteers will have the right of accompaniment by a fellow volunteer at any disciplinary meeting or hearing.

Disciplinary Procedure Steps:

Step 1: The volunteer will be given a written statement of the complaint against them and the nature of their conduct, capability or other circumstances that may result in disciplinary action or removal from the railway.

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Step 2: A disciplinary meeting will be arranged with the Chair of Trustees to discuss the issue(s). The Chair of Trustees will carry out or cause to be carried out any necessary investigations or enquiries before deciding if any what disciplinary action is to be taken.

Within a maximum 5 working days after the disciplinary meeting, the volunteer will be informed in writing of any decision taken or sanction to be imposed, the improvement or change in behaviour which is required and the timescale allowed for it.

The volunteer will be advised of the right of appeal, to whom any appeal should be made and how any such appeal should be made.

Step 3: If the volunteer is not satisfied that the disciplinary procedure has been fairly undertaken or believes that the sanction taken against them is unreasonable they must inform the Chair of Trustees in writing within 5 working days of being informed of the outcome of the disciplinary hearing that they wish to appeal the outcome.

An appeal may be on the grounds of:

- An inadequate or flawed investigation into the alleged offences
- The disciplinary procedure was not properly followed
- The sanction made was excessive in relation to the offence committed

An appeal meeting will then be arranged with other members of the STRPS Board of Trustees not previously involved in the matter in order to hear the appeal.

Any decision made will be conveyed in writing to the volunteer within five working days of the appeal hearing and there will be no right to a further appeal to the decision made at the appeal hearing.

8.3.6.3.3 Disciplinary Sanctions

The following disciplinary sanctions in order of severity are available under the STRPS disciplinary procedure:

- Verbal warning which may be given by the appropriate Head of Service.
- Written warning of specified duration which may be given by the STRPS Chair of Trustees
- Final written warning of a specified duration which may be given by the Head of Service or the STRPS Chair of Trustees
- Dismissal from the railway which may be given by the STRPS Chair of Trustees.

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For the avoidance of doubt any outcome of a disciplinary hearing that involves a requirement for further training will not be considered to be a disciplinary measure.

8.3.6.3.4 Chair of Trustees

Should the Chair of Trustees be the subject of grievance, disciplinary or competency proceeding the measures in this document will apply except that the place of Chair will be taken by another trustee or a person independent of the railway. The Chair will not be involved in the selection of this trustee or independent person.