

## **Brightlink Learning**

### **Relationship Management Policy & Procedures**

#### **Purpose and Scope of Policy**

Brightlink Learning works with associates, consultants, learners, participants and clients, a number of partner organisations, contributors and other stakeholders.

This document is intended to provide guidance on how best to establish, develop, maintain, manage and if necessary, repair relationships, networks and partnerships in order to ensure that needs and strengths are at the centre of all working.

At all times Brightlink will work in a way which:

- places people and relationships at the centre of everything undertaken, working with them rather than for them or to them;
- demonstrates and models restorative working;
- demonstrates the best of expertise, infrastructure, value, skills and commitment;
- utilises and shares the best strengths, assets and skills of each team member;
- shares learning;
- is based on open, honest and trusting relationships;
- is proactive in seeking opportunities for partnership.

#### **Building Relationships**

##### **Team and Individual Needs**

Team and individual needs are an integral part of Brightlink and all working within the Brightlink team and within our learning programmes will be asked about their needs and will consider how they can be met.

##### **Partners and External Relationships**

Lorna Baldry is responsible for taking a lead role in identifying new partners and establishing links between organisations. The following should always be addressed in forming and maintaining relationships:

Non-disclosure agreements;

Memoranda of understanding;

Partnership agreements.

To encapsulate these considerations and plan operations and strategy.

## **Terms of Reference**

For any project group, committee or other mode of partnership/ co-operative working, these need to be agreed in consultation with all partners in order to clearly establish the purpose and remit of the group.

- Has the partnership agreed a vision and aims?
- Is the vision supported by all of the partners (and the wider local community)?
- Do the community know what the partnership exists for?

## **Roles and Expectations**

These need to be agreed from the outset so that all partners are aware of areas of responsibility.

- Is there a lead partner? Is their role clearly defined?
- Are the roles and responsibilities of all partners clearly defined and agreed?
- Are meetings scheduled on a regular basis?
- Is there a clear strategy to involve the wider community (other partners) in the partnership?
- Are there clear written procedures to prevent conflicts of interest?

## **Building capacity of partners.**

- Do the partners know each other?
- Do partners share a good understanding of the issues being tackled?
- Do any partners require training in technical skills to participate fully in decision-making?
- Is any briefing required?
- Is there a budget/time set aside for training/capacity building for partners?

## **Formal Partnerships**

- Establish an appropriate structure.
- Does the partnership constitution and structure define:
- Who employs any staff?
- Who administers the day to day activity?
- Who contracts with delivery bodies?

- Which body makes the final decisions?

## **Finance**

- Who is responsible for financial control and auditing?  
Any issue relating to finance need to be discussed and agreed in advance and subsequently recorded.

## **Collaborative approach**

Partnership working involves collaboration and sharing and it is therefore expected that all parties involved should work together on projects and maximise opportunities for sharing best practice in order to provide the best possible experience for service users.

## **Maintaining Relationships**

### **The Team**

- **Communication**  
Brightlink is committed to communicating with all team members frequently and in a variety of ways that meet their needs but also encourage their development outside their preferred methods.  
A weekly team meeting will be held by Skype or conference call.
- **Performance Review**  
Performance review and management will create a positive culture of celebration of strengths, development and encouragement.
- **Development**  
Brightlink recognise that the people working with and within the organisation are its greatest asset and seek to encourage their development wherever possible.

### **Partners and External Relationships**

- **Mapping & Contact Details**  
As Brightlink works with such a diverse range of partners and clients, it is imperative that up-to-date records are maintained so that everyone involved has a clear picture of the partnerships, the members and the links.

- **Communication**

Regular communication is essential to the effectiveness of any partnership group.

## **Repairing Relationships**

### **Briglink Team, Learners and External Relationships**

In any dispute between Brightlink and any learner, member of staff, associate or other stakeholder this procedure will be followed:

*Stage 1:* parties should initially make every effort to resolve this between them.

*Stage 2:* if a resolution cannot be found by discussion, a restorative meeting will be held facilitated by an impartial person acceptable to both parties.

*Stage 3:* if requested by either party to a dispute following the restorative meeting a member of the Management Team not involved in the dispute may facilitate identification of potential solutions by the parties.

*Stage 4:* if either partner organisation is not satisfied with the solutions which are the outcome of facilitation by this Manager, the parties and the Manager will seek to identify another member of the management team to mediate. Each party involved in the dispute will be interviewed by the appointed individual, who will work with them towards the resolution of the dispute.

*Stage 5:* If no resolution is reached Brightlink Management will consider all factors and reach a conclusion based on the recommendations of all involved. This decision on how to proceed will be final.

Brightlink recognise that in an organisation of its size, restorative resolution of an employee's behaviour or a learner's complaint or appeal is usually the best way of maintaining or repairing effective working relationships. The above restorative procedure will therefore be followed in the first instance. During this procedure the questions will be asked:

1. What happened?
2. What were you thinking when it happened?
3. How did it make you feel?
4. What has happened since?
5. What needs to happen next in order to move on?

Once these questions have been asked and the Repairing Relationships stages above have been exhausted it may be necessary to address

unresolved or serious breaches in a more formal manner in relation to staff discipline. This will involve a formal procedure as outlined by the ACAS Code of Practice.

### **Disciplinary Principles**

1. No disciplinary action will be taken against any employee until the case has been fully investigated.
2. At every stage in the procedure the employee will be advised of the nature of the complaint made against him or her and will be given the opportunity to state his or her case before any decision is made.
3. At all stages the employee will have the right to be accompanied by a work colleague or a trade union official during the disciplinary interview or any appeal hearing.
4. Either party involved in a disciplinary interview will have the right to call witnesses or use documentary evidence if appropriate.
5. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.
6. An employee will have the right of appeal against any disciplinary penalty imposed.
7. The procedure may be implemented at any stage if the employee's alleged misconduct or performance warrants such action.
8. All persons will be treated consistently, regardless of race, gender, age, disability, or level within the business.
9. Where the complaint against an employee relates to his/her competence, the stages of the procedure will be preceded by appropriate advice, guidance, assessment, review and consideration of training needs.
10. If a warning is issued to an employee they will also be informed in writing of what improvements to their behaviour or performance are required.

### **Formal Disciplinary Procedure**

1. On having a matter drawn to their attention which has not been resolved by following the restorative process, the management will

investigate the issue. This will involve, among other enquiries an investigatory meeting with the employee concerned.

2. If in the Management's opinion there has been a breach of discipline serious enough to warrant formal action, then the employee shall be so advised in writing, setting out the grounds of concern, and inviting the employee to a disciplinary hearing. A minimum of 48 hours' notice of a hearing will be given. If it is a possibility that an employee could be dismissed as a result of this hearing, the employee will be informed of such in writing.
3. With as much notice as reasonably practicable prior to any formal disciplinary hearing, the full details of the complaint against the employee and of any evidence or witnesses that will be brought to substantiate the complaint should be provided in writing to the employee and (if appropriate) the employee's representative. The employee should advise the Management before the hearing, of the details of any witnesses and evidence to be called to refute the allegations.
4. In the event of all disciplinary complaints, including that of gross misconduct, a manager shall conduct the disciplinary hearing and decide on any disciplinary warning necessary. Wherever practicable a different manager to the one who investigated the matter will hold the hearing. Brightlink may involve a third party to attend the hearing and offer advice.
5. At the hearing, the complaint, and evidence to support it, will be presented first; the defence to the allegations will then be offered. Both sides may cross-examine evidence and witnesses. A decision on the substance of the complaint will then be made by the members of the hearing, who may seek such legal and other advice in reaching their conclusions as may be necessary. The decision will then be communicated to the employee. If the case has been found not proven, the matter will end there, and all reference to it will be expunged from the employee's personnel records. If the case has been found proven a final decision will be made on the outcome of the disciplinary process, which may take one of the following forms:
  - **Verbal Warning** – when the offence is a first and relatively minor one.
  - **1st Written Warning** – where there has been a continuation of misconduct or it is a fairly serious act of one off misconduct
  - **Final Written Warning** – where if the employee offends again, dismissal is likely to be the result.

- **Dismissal with notice** – where the employee has consistently failed to remedy misconduct.
  - **Summary dismissal** – where the employee has been found guilty of gross misconduct, and there are no substantial mitigating factors.
  - **Demotion or transfer** - This stage will normally result from continued failure by the employee to act upon the provisions made in the previous stages of the warning procedure.
6. Warnings will normally stay on the employee's record as follows:
- Verbal Warning – 3 months from date of issue
  - 1<sup>st</sup> Written Warning – 6 months from the date of issue
  - Final written warning – 12 months
7. Prior to any disciplinary hearing, especially in cases of alleged gross misconduct, the Management may suspend the employee on full pay pending the outcome of the process. Suspended employees may have access to Brightlink's premises, records, employee and clients only by prior arrangement with the Management, and only to prepare a defence.
8. All employees have the right to be represented by a work colleague or trade union official at all formal stages of the disciplinary process (hearing and appeal meetings). Employees and their representatives have the right to a reasonable amount of time off with pay to prepare and present the defence to the allegations.

### **Appeals**

An employee may appeal against the outcome of a disciplinary hearing on the grounds either of its findings or the severity of the disciplinary action. The Appeal must be made in writing, within 5 working days of receiving the disciplinary penalty, to the business owner, where possible, will not have been involved in the previous disciplinary stages (the employee will be advised of who to appeal to). If the business owner has been involved an external third party can be brought in.

The same procedure will generally apply as at the original hearing, save that only evidence and findings in dispute will be considered. The appeal body may substitute any alternative outcome, or uphold the original decision. The decision of the appeal hearing is final and will be notified to the employee in writing within five days of the appeal hearing taking place.

## **Gross misconduct**

Gross misconduct is conduct of such a nature that it fundamentally breaches the contract of employment; it justifies dismissal without previous warnings and without notice. The following list provides examples of offences which are normally regarded as gross misconduct but is not exhaustive:

- Acts of dishonesty towards the employer or any other person, whether in the course of this employment or not it, if it could be deemed that the conduct has had an adverse impact on the employer's business.
- Fighting, assault on another person.
- Sexual offences including sexual misconduct at work.
- Breach of confidentiality.
- Harassment & bullying of any type.
- Serious negligence on grounds of Health & Safety.
- Wilful or malicious damage.
- Theft.
- Wilfully refusing to follow the lawful and reasonable instruction of a Manager.
- Being found in the course of duty to be under the influence of alcohol or drugs other than those prescribed or taken for a medical condition.

## **Grievance Procedure**

The business encourages all employees to raise minor grievances informally so that the restorative process can be followed. In the case of a more serious complaint or something that remains unresolved informally the following procedure will apply as outlined in the ACAS Code of Practice.

- If the issue is not resolved, you may raise the matter, in writing, with a Manager, who will meet with you to discuss and consider your grievance. Both parties may find it useful to involve an independent mediator at the early stages of a grievance issue if both parties agree.
- Employees who have a grievance against another employee should raise it with that person in the first instance and if still unresolved, with a Manager, who will respond to a grievance within a maximum of 10 working days. You may be represented or accompanied at this meeting by a fellow worker or a trade union official of your choice.

- Where an employee has a grievance with their line manager or are dissatisfied with the way a grievance has been handled, they should raise it at a meeting with the business owner. This should be backed-up with a written explanation of the grievance.
- A response will be given within five working days of the meeting.

### **Brightlink as a Centre of Learning – Expectations, Decisions and Appeals**

When you work with Brightlink as a learner we will share the same expectations of respect, transparency and accountability with you as we do with our staff team and associates.

At the beginning of each new learning relationship we will agree between us about your needs and ours to give of our best and agree on mutual expectations. Often some very clear requirements will be found in the terms and conditions of our online learning, other policies and procedures or within the requirements of an awarding organisation. It will be the learner's responsibility to ensure that they are aware of what is expected of them.

We hope you will never need to complain about our services but if you do your complaint will be dealt with in accordance with the restorative processes contained in this policy.

Similarly we hope we will not investigate any malpractice claims in relation to your work or our processes but if we do and you disagree with our decision you may choose to appeal that decision. Appeals will also be dealt with in accordance with restorative process.

Use of the restorative process for investigation or appeal means that the restorative enquiry questions will be asked as appropriate:

- What happened?
- Who was affected?
- What needs to happen next?

And that the process will be transparent and full accountability will be expected.

In addition if it is appropriate any interviews, statements taken, enquiries made and meetings held will be undertaken in a restorative fashion.

If a complaint or appeal relates to a particular member of the Brightlink team or their work they will be kept fully informed but a different team member will facilitate the process.

### **Location and Access to the Policy**

This is available from the Brightlink website and may be out of date if printed.

**Date approved:** July 2014

**Date last reviewed:** September 2017

**Next review date:** September 2018

**Accessible to Learners:** Yes