

EAST BARNET ALLOTMENTS AND GARDENS ASSOCIATION.

DISCIPLINARY PROCEDURE.

Introduction.

This procedure is to be followed when any individual plotholder has contravened the Rules of the Association as contained in the Conditions of Tenancy or where the conduct of the plotholder gives rise for concern.

This disciplinary procedure can only be actioned by the Association's committee.

On an occasion where a minor infringement of the Rules is noted, any Committee member may remind a member of the Rules of the Association and the Terms of his/her Tenancy Agreement.

Process.

1. Verbal warning

In the case of a more serious breach of rules, or where a reminder, as above, has been given and ignored, a committee member (accompanied by at least one other member of the committee) may issue a verbal warning. This verbal warning may be followed up by an E mail or letter to the recipient. The committee member may take photographic evidence of the plot as may be applicable.

The committee member will enter details in the Disciplinary Book to include their name and that of the other committee member, date, plot holders name and details of the unacceptable behaviour or misconduct. Additionally the tenant may be asked to sign a disciplinary sheet with the above details on by way of agreement to what is expected of him/her to rectify the problem.

IF AFTER 1 MONTH NO SATISFACTORY OUTCOME HAS BEEN ACHIEVED THE PROCESS WILL MOVE TO A WRITTEN WARNING.

2. Written Warning.

This may take the form of a letter or E mail and will include:

- (a)** The date of issue, details of the unacceptable behaviour, the fact that an Association's officer has previously issued a verbal warning and the date of the verbal warning.
- (b)** The change of behaviour/plot management required of the tenant. If applicable, the date when this change is to be fixed.
- (c)** A statement that continued failure to comply with the warnings given or any future unacceptable behaviour may lead to termination of the Tenancy Agreement.
- (d)** A statement that this warning may be appealed in accordance with the Association's complaints procedure Stage Two Review. (A copy of that procedure to be enclosed if not already in possession of the Tenant).

A copy of this letter is to be added to the Tenant's file together with any documents from Step1 above.

THE TENANT WILL HAVE 1 MONTH FROM THE DATE OF THE LETTER OR UNTIL THE DATE CONTAINED IN THE LETTER FOR THE MATTER TO BE SATISFACTORILY CONCLUDED.

3. Final written Warning.

If no satisfactory outcome is achieved then the tenant will be issued with a final written warning. This letter will include all the details as given above for the first written warning but to include the date of that first letter. In addition a statement will be included to say that failure to comply WILL lead to termination of the Tenancy Agreement.

THE TENANT WILL HAVE A FURTHER 1 MONTH FROM THE DATE OF THE LETTER OR UNTIL THE DATE CONTAINED IN THE LETTER FOR THE MATTER TO BE SATISFACTORILY CONCLUDED.

4. Termination of Tenancy Letter.

The Termination Letter will include:

- (a) Date
- (b) Details of the unacceptable behaviour or serious misconduct
- (c) Dates and details of previous verbal or written warnings
- (d) Date the Tenancy Agreement will be terminated.
- (e) Date the site key(s) are to be returned (before any property is released)
- (f) Details about removing property from site
- (g) A statement that this letter may be appealed in accordance with the Association's Complaints Procedure Stage Two review. State to whom the appeal should be made and by when it should be received if it is to be considered.

This letter should be delivered by hand to the tenant or to his address with a witness and date and time recorded. If this is not practical then by Post Office Recorded Delivery.

All warnings will have an effective validity of one calendar year. Should a member re-offend within that period, and for the same reason that a warning was issued, even after an apparent satisfactory outcome, then the Association reserves the right to move to the next stage of the disciplinary procedure.

In all cases of serious misconduct the Association reserves the right not to issue verbal or written warnings. Serious misconduct could include : threatening or assaulting another plot holder, persistent abusive or reckless behaviour perhaps through drunkenness, stealing or damaging other plot holders crops or property, wilfully damaging the Association's property or any criminal activity on the allotment site.

Such serious misconduct which may be repeated and impact on other plot holders will lead to immediate exclusion from the site and the issue of a Termination of Tenancy Letter as provided above.