

Disciplinary and Grievance Policy

Purpose and scope

Disciplinary rules and procedures exist to create an orderly and fair working environment, while maintaining consistency in the way employees are treated in the event of misconduct. The purpose of using disciplinary procedures is primarily to deal with situations where employees allegedly fail to comply with disciplinary rules; also they may be used in circumstances where the employee consistently fails to meet the expectations of his or her job description and duties.

The following procedures will be used when an employee fails to meet the company's standards of performance or conduct. The procedures also may be applied if the employee is in breach of his or her contract of employment.

Principles

The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting and be represented or accompanied, if they wish, by a trade union representative or a work colleague.

An employee has the right to appeal against any disciplinary penalty.

The Procedure

Stage 1 – Verbal warning. If conduct or performance is unsatisfactory, the employee will be given a verbal warning - there will be an interview between the member of staff and his/her line manager. The member of staff may be accompanied by a union representative or friend. A verbal warning form will be completed. Such warnings will be recorded but disregarded after 6 months of satisfactory service. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation, it may be justifiable to move directly to a written or final written warning.)

Stage 2 – Written warning. If conduct or performance is still unsatisfactory after 3 months, the employee will be given a written warning or performance note. Such warnings will be recorded but disregarded after 6 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation, it may be justifiable to move directly to a final written warning.)

Stage 3 – final written warning. If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 3 months, action at Stage 4 will be taken.

Stage 4 – dismissal or action short of dismissal. If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer or dismissal.

Gross misconduct

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice..

The following are examples of general misconduct that may result in formal proceedings. The list is not exhaustive.

- Poor timekeeping.
- Poor work performance.
- Excessive sickness absence.
- Capability.
- Unreasonable behaviour to work colleagues.
- Harassment or victimisation.
- Breach of company security.
- Breach of health and safety rules.
- Repeated or serious failure to follow instructions.

The following are examples of gross misconduct that after investigation, may result in dismissal. The list is not exhaustive.

- Theft or fraud
- Physical violence or bullying
- Deliberate and serious damage to property
- Serious misuse of an organisation's property or name
- Serious insubordination
- Unlawful discrimination or harassment
- Bringing the organisation into serious disrepute
- Serious incapability at work brought on by alcohol or illegal drugs
- Causing loss, damage or injury through serious negligence
- A serious breach of health and safety rules
- A serious breach of confidence

Appeals

An employee who wishes to appeal against a disciplinary decision must do so within five working days. The senior manager will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

Grievance Procedure

Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your manager. You should stick to the facts and avoid language that is insulting or abusive.

Grievance hearing

Your manager will call you to a meeting, normally within five days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you wish. After the meeting the manager will give you a decision in writing, normally within 24 hours.

Appeal

If you are unhappy with your manager's decision and you wish to appeal you should let your manager know. You will be invited to an appeal meeting, normally within five days, and your appeal will be heard by the company owner. You have the right to be accompanied by a colleague or trade union representative at this meeting if you wish. After the meeting the owner will give you a decision, normally within 24 hours. Their decision is final.

Signed:

Managing Director

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