

Disciplinary Procedure

The disciplinary procedure provides for warnings to be given for:

- Failure to meet the Company's standards of job performance
- Conduct (whether during working hours or not)
- Attendance
- Breach of terms and conditions of employment

The procedure applies to all employees and is as follows:

1. In the first instance the facts surrounding the complaint will be established (if necessary taking into account the statements of any available witnesses).
2. If it is considered unnecessary to resort to the formal warning procedure, the matter will be discussed with the employee, suggesting areas of improvement. The discussion will in so far as possible, be in private and the employee will be informed that no formal disciplinary action is being taken.
3. If it is considered necessary to invoke the formal warning procedure, the employee will be informed, in writing, of their alleged conduct/characteristic/other circumstances, which led to the contemplation of dismissal or taking disciplinary action against the employee. A copy of this will be sent to the employee who will be invited to attend a meeting to discuss the matter. The following procedure will then apply, but, depending upon the seriousness of the offence, may be invoked at any level including summary dismissal:
 - 3.1 In the case of minor offences the employee will be given a formal oral warning. The employee will be advised that the warning constitutes the first formal stage of the disciplinary procedure and that a note will be placed on their personal file. The nature of the offence and the likely consequences of further offences or a failure to improve will be explained to the employee.

In the case of serious offences or a repetition of earlier minor offences the employee will be given a written warning, setting out the precise nature of the offence, the likely consequences of further offences and specifying, if appropriate, the improvement required and over what period.

In the case of a further repetition of earlier offences, if the employee still fails to improve or if the offence, whilst falling short of gross misconduct, is serious enough to warrant only one written warning, the employee will be given a final written warning setting out the precise nature of the offence, containing a statement that any recurrence will lead to dismissal or whatever other penalty is considered appropriate and specifying, if appropriate, the improvement required and over what period.

In the case of gross misconduct, or if all previous stages of the warning procedure have been exhausted, the employee will normally be dismissed but only after consideration of other possible disciplinary

action including (but without limitation) demotion or transfer; loss of seniority or salary increment; suspension without pay.

4. Where the employee is accused of an act of gross misconduct they may be suspended from work for 28 days on full pay pending the outcome of investigation into the alleged offence.
5. In all cases, before any disciplinary action (including warnings) is taken the employee will be interviewed and will be informed of the allegations made against them. They will be given the opportunity to state their case and at the interview may be accompanied by their trade union representative or by a colleague of their choice. If the complaint is upheld the employee will be informed of the disciplinary action to be taken; the stage in the disciplinary procedure to be adopted depending upon the seriousness of the offence and the right to appeal.
6. If the employee is dissatisfied with the outcome of any stage of the above procedure they may appeal in writing within 7 days.
7. The following are non-exhaustive examples of the sort of offences which, if committed, will normally lead to formal disciplinary action being taken:

7.1 **Minor Offences (oral warning):**

Poor job performance involving sub-standard work; unpunctuality; absenteeism, or any other breach of regulations made by the Company from time to time.

7.2 **Serious Offences (written warning):**

Negligence resulting in minor loss, damage or injury; harassment or bullying; failure to comply with a specific instruction; failure to observe and comply with the Company's Health and Safety Policy; irresponsibility in relation to the Company's employees, activities or impropriety in relation to the employee's task for the Company, whether or not within working hours, which the company reasonably considers to be detrimental to or conflicting with the interests of the Company, or likely to affect the employee's standard of work; failure to disclose any personal interest of the employee which conflicts with any matter with which the employee is engaged; or any breach of confidence relating to the Company or its affairs.

7.3 **Gross Misconduct (dismissal):**

Negligence resulting in serious loss, damage or injury; assault or attempted assault; theft; malicious damage to property; wilful disregard of duties or of instructions relating to the employment, deliberate and serious breach of confidence relating to the Company or its affairs, the use for personal ends of confidential information obtained by the employee in the course of their employment; falsification of records; conduct violating common decency; conviction on a criminal charge relevant to the employee's employment; misuse of drugs or alcohol or within working hours, being under the influence of misused drugs or of alcohol. (in serious cases, dismissal will normally be without notice).