

Disciplinary Policy and Procedure

What this policy covers

This policy is designed to ensure that all disciplinary matters are dealt with promptly, fairly and consistently and to encourage an improvement in individual conduct and/or performance. It outlines the procedures that the Company will follow should there be a need to take disciplinary action and your right to appeal.

We retain discretion in respect of the disciplinary procedure to take account of your length of service and to vary the procedure accordingly.

The Company reserves the right to discipline or dismiss you without following the Disciplinary Procedure if you are an employee with less than 24 months' continuous service; or within your probationary period (including during any extensions).

Your entitlements and responsibilities

The Company aims to deal with disciplinary matters promptly and fairly. You have the right to appeal against a decision the Company makes at a disciplinary meeting. In these cases, the Company will make every effort for the appeal to be dealt with by a different manager to the person who dealt with the matter initially.

The Company's decision at the appeal stage is final and there is no further right of appeal.

You have a responsibility to assist the Company, if required, to investigate the matters raised at disciplinary meetings and comply with the disciplinary procedures.

Disciplinary sanctions

The level of the disciplinary sanction, if any, will be determined by the severity of the offence. The Company will normally select one of the following:

Verbal warning

An informal verbal warning will usually be applied as the first step of corrective action following unsatisfactory performance or conduct offences. You will be advised of any breach of conduct or standards or which aspect of your conduct has led to the meeting and the Company will explain the conduct or standards required in the future. The warning will be given verbally and you will be advised that a failure to improve the standard of conduct or performance may result in further disciplinary action. This will subsequently be confirmed in writing. A time limit of 3 months will be placed on the warning.

Written warning

A Written Warning will normally be applied following further breaches of conduct or standards, but may be applied as the first step of corrective action following unsatisfactory performance or conduct offences. The Company will define the unacceptable acts and explain the conduct or standards required in the future. You will be advised in writing that a failure to improve the standard of conduct or performance may result in further disciplinary action. A time limit of 6 months will be placed on the warning.

Final written warning

A Final Written Warning is usually applied after a Written Warning has been given and performance or conduct has not improved but may be applied after a more serious first or a second offence. This would usually be where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to your carelessness or has a serious or substantial effect upon our operation or reputation. You may also receive a Final Written Warning as the first course of action, if, in an alleged gross misconduct disciplinary matter, upon investigation, there is shown to be some level of mitigation resulting in it being treated as an offence just short of dismissal. You will be advised in writing that a failure to improve the standard of conduct or performance may result in dismissal. A time limit of 12 months will be placed on the warning.

Dismissal

Dismissal occurs when your contract is terminated either with or without notice. Dismissal without notice is also referred to as 'summary dismissal' and is restricted to cases of gross misconduct. The Company reserves the right, at its complete discretion, to impose a sanction short of dismissal if it is deemed appropriate. This may include demotion, transfer to a different post or another appropriate sanction. Any such decision will be confirmed to you in writing once you have been informed of the outcome.

Disciplinary rules

It is not practicable to specify all disciplinary rules or offences that may result in disciplinary action, as they may vary depending on the nature of the work. In addition to the specific examples of unsatisfactory conduct, misconduct and gross misconduct shown in our handbook, a breach of other specific conditions, procedures, rules etc. that are contained within our handbook and our policies or procedures that have otherwise been made known to you, will also result in this procedure being used to deal with such matters.

Rules covering unsatisfactory conduct or misconduct

(The following are illustrative examples and do not represent an exhaustive list.)

You will be liable to disciplinary action if you are found to have acted in any of the following ways:

- Unsatisfactory standards or output of work
- Minor breach of the company code of conduct
- Failure to devote the whole of your time, attention and abilities to our business and its affairs during your normal working hours; for example taking part in none work related activities during working hours or spending time on mobile phone without prior approval
- Rudeness towards customers, members of the public or other employees
- Failure to abide by our/our clients' rules and procedures without a justifiable reason
- Refusal of work in accordance with availability schedule and/or contractual terms without good reason
- Failure to carry out all reasonable instructions or follow our rules, policies and procedures
- Minor absenteeism and/or lateness
- Failure to book on and off without a justifiable reason
- Minor instances of failing to follow reasonable instructions
- Failure to report immediately any damage to property or premises caused by you
- Minor Insubordination
- Failure to adhere to the company uniform and grooming standards

Rules covering gross Misconduct

Set out below are details of behaviour that the Company views as gross misconduct, which is likely to result in dismissal without notice. The following are illustrative examples and do not represent an exhaustive list.

- Theft or unauthorised possession of money or property, dishonesty or fraud
- Falsification of any records (including but not limited to: time sheets, working hours, company documents, booking on and off, absence records and or documents related to obtaining employment, etc in respect of yourself or any fellow employee)
- Smoking on Company or a third party's premises or in a vehicle belonging to the Company or in any non-designated smoking areas
- Unauthorised absence/s of any length or period
- Sleeping during working hours
- Breaches of security
- Assault, dangerous behaviour, fighting and any acts of violence or aggression (verbal or physical)
- Unacceptable use of obscene or abusive language
- Deliberately making a false or malicious disclosure or carrying out any of the other acts listed as giving rise to disciplinary action
- Serious or gross negligence
- Incapacity or poor performance

- Possession or use of or being under the influence of non-medicinal drugs or alcohol on Company premises or during working hours
- Major absenteeism and/or lateness
- Possession or of illicit drugs/alcohol/medication (including over the counter)
- Wilful damage to Company, employee or third party property
- Serious insubordination and/or continuing refusal to carry out legitimate instructions
- Any actions that may bring the Company into disrepute
- Taking part in activities which result in adverse publicity to ourselves, or which cause us to lose faith in your integrity
- Unlawful discrimination, immoral or indecent behaviour, bullying or harassment
- Refusal to carry out reasonable management instructions
- Gambling, bribery or corruption
- Undertaking private work on the premises and/or in working hours without express permission or working in competition with us
- Serious breach of health and safety policies and procedures
- Breach of confidentiality, including but not limited to the unauthorised disclosure of Company information to the media or any other party
- Abuse of the protected disclosure provisions
- Interference with, or misuse of, any equipment for use at work that may cause harm
- The intentional viewing or downloading of pornographic or other derogatory, defamatory, obscene or inappropriate material from personal internet or e-mail systems
- Unauthorised accessing or use of computer data
- Unauthorised copying of computer software
- Recording people or meetings (via any means) without an express permission from the company or the people present/involved
- Unauthorized use or negligent damage, sabotage, destruction or loss of ours or our client's property
- Knowing failure to comply with legal regulations ie; Home Office UKA, SIA, British Standards
- Failure to report to the HR department any criminal charge or conviction imposed on/against you within 2 working days of knowing

Disciplinary procedure

Suspension from work

If the Company believes it is appropriate, it may decide to suspend you from your work pending further investigation or disciplinary action. Suspension itself is not a disciplinary sanction but a holding measure and the Company will endeavour to keep any suspension as brief as possible. Should you fail to co-operate at any time with the investigatory process, for example by failing to attend any meeting, without good reason then the Company reserves the right to treat this as unauthorised absence, and this may result in additional disciplinary action.

If a decision to suspend is made, you will be informed verbally and this will usually be followed up in writing. While you are suspended, you are not allowed to attend work or make contact with anyone connected to the Company unless otherwise instructed by the Company. If you need to contact anyone connected to the Company while you are suspended, you must notify your manager or the HR department. Any reasonable request will not be refused.

Breach of the terms of your suspension may result in additional disciplinary action up to and including dismissal without notice.

Investigation Meetings

Depending on the circumstances, you may be required to attend Investigation Meetings before a decision is taken to invoke the disciplinary procedure. An Investigation Meeting is an informal meeting and so you are not permitted to be accompanied unless you are under the age of 18 (when a parent or guardian will be permitted).

You must notify and obtain the consent of all those present at the meeting prior if you intend to record it.

Depending on the outcome of the investigation, the Company will decide whether or not to proceed with a Disciplinary Meeting. If it is decided that there is no case to answer then you will be informed of this fact either verbally or in writing. You will be expected to return to work at the agreed date and time. This will end the process.

Recording meetings

The Company will normally arrange for summary minutes to be taken at any formal meeting. It is not the policy of the Company to record meetings by any other means (e.g. digital, audio recording and photographs). You (or any party accompanying you) must not record any meeting without the express permission of the Company in advance. Where a meeting is to be recorded then parties must agree to it in advance. If requested, a copy of the minutes/recording will be provided (in line with data protection principles).

Invitation to a Disciplinary Meeting

If you are required to attend a Disciplinary Meeting, the Company will inform you of this in writing. In the letter, the Company will set out the issues that are to be considered, how seriously these are being viewed, the potential consequences and details of any intention to call witnesses. The letter will also inform you of the date and time of the meeting to allow you sufficient time to prepare your case.

As this is a formal meeting, the letter will also detail your right to be accompanied.

Your right to be accompanied at a Disciplinary Meeting

You are entitled to be accompanied at a Disciplinary Meeting by a fellow worker or a trade union official. No other person will be permitted to attend. Should you wish to be accompanied, you must notify the Company of the name and position of your chosen companion as soon as possible.

Your companion is permitted to put forward and summarise your case, respond on your behalf to views expressed in the meeting, ask questions and confer with you, but will not be entitled to answer questions directly on your behalf.

Action if you cannot attend the meeting on the proposed date

If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter to advise them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable.

Attending the disciplinary meeting

You must attend the meeting at the proposed time. Failure to participate in the process or attend arranged meetings without good reason may result in additional disciplinary action or a decision being made in your absence.

Prior to the meeting, you should ensure that you are fully prepared to answer questions relating to the incident/circumstances in question. At the meeting you will be given every opportunity to state your case, present any evidence and call relevant witnesses before any decision is made.

You must notify and obtain the consent of all those present at the meeting prior if you intend to record it.

After the Disciplinary Meeting

At the end of the meeting there will normally be an adjournment to allow for consideration of the facts. You will be informed of the outcome and any sanction will be confirmed in writing to you as soon as possible.

In some circumstances there may be a need to adjourn and reconvene a meeting at a later date, to allow further investigation. In this case you will be advised accordingly.

Notification of the decision and disciplinary sanction

Following the Disciplinary Meeting, the Company will notify you of its decision and the disciplinary sanction it will apply. This letter will also explain your right to appeal against any decision taken and sanction applied.

Your right of appeal against disciplinary action

If you wish to appeal against a decision you must submit your request in writing, stating the reasons for the appeal, to the individual identified in the letter confirming the sanction. This should be submitted within five working days of receiving notification.

The Appeal Meeting

You will be informed of the date and time of the Appeal Meeting. If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter to inform them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable. You will be entitled to be accompanied by a fellow worker or a Trade Union official. You must notify and obtain the consent of all those present at the meeting if you intend to record it.

At the Appeal Meeting you will be given an opportunity to state your case. Your companion is permitted to put forward and summarise your case, respond on your behalf to views expressed in the meeting, ask questions and confer with you, but will not be entitled to answer questions directly on your behalf.

The meeting will then be adjourned to allow the Company to consider the facts and the decision will be confirmed in writing. The outcome will be communicated as soon as possible, taking into account the complexity of the issues raised in the appeal. The decision at this stage will be final.

Policy Review and Assessment

This policy may be amended by Interr at any time in order to take into account changes in legislation and best practice. This policy was last reviewed and agreed by the Board and seeks to be reviewed and updated annually. Any queries arising regarding this policy should be addressed to Mick Tabori.



Mick Tabori - CEO
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