



NORWOOD UK

Disciplinary Policy

Disciplinary Policy

Introduction

The aim of this policy is to ensure all employees clearly understand the procedure which will apply if disciplinary action is taken by the Company against an employee.

Disciplinary Rules

The Company requires good standards of discipline from its employees, together with satisfactory standards of work. These disciplinary procedures apply to any misconduct or failure to meet standards of performance or attendance. The procedure is referred to in your Contract of Employment but is not contractual.

The purpose of the procedure is to be corrective rather than punitive. It should be recognised that the existence of procedures such as these is to help and encourage you to achieve and maintain standards of conduct, attendance and job performance and to ensure consistent and fair treatment for all employees. If your standard of work or conduct falls and remains below the level that is acceptable, you may be dismissed.

The Company recognises that there may be times when the unsatisfactory work performance of an employee can be dealt with more appropriately outside of the disciplinary policy. Please refer to the capability procedure.

Summary dismissal without notice will take place if an act of gross misconduct is committed. Gross misconduct is any deliberate act by an employee that is detrimental to the good conduct of the Company's business, the Company's

reputation or any employee, client or contact of the Company. Examples of misconduct and gross misconduct are listed below:

Examples of Misconduct

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The following is a non-exhaustive list of examples of offences which amount to misconduct falling short of gross misconduct:

- unauthorised absence from work
- lateness / poor time-management / leaving site early without permission
- unacceptable performance
- inappropriate standard of dress
- abuse of no-smoking policy
- time-wasting
- contravention of minor safety regulations
- disruptive behaviour (at work or at work events)
- inappropriate conduct with a colleague (at work or at work events)
- personal abuse of the telephone system
- unauthorised use of the computer system (in breach of the Computer, Email and Internet policy and the Social Media policy)
- use of mobile phones for text messaging or personal calls during office hours
- misuse of the email system in breach of Company policy

Examples of Gross Misconduct

The following is a non-exhaustive list of examples and offences which amount to gross misconduct:

- dishonesty, theft or fraud
- forgery or falsification of Company records, i.e., sickness forms, time sheets, expense claims, etc)
- failure to comply with relevant statutory and regulatory requirements
- serious insubordination
- gross negligence
- violent, abusive or intimidating conduct (non-verbal, verbal or physical)
- deliberate damage to Company property
- sexual, racial harassment or other forms of discriminatory behaviour (in breach of the Equal Opportunities policy and / or Anti-harassment and Bullying policy)

- unauthorised use or disclosure of confidential information of the Company
- attending work under the influence (or in the possession) of alcohol or non-prescription drugs
- reckless or serious misuse of a Company vehicle or property
- loss, damage or injury through serious negligence
- rudeness to customers or clients
- unacceptable and disruptive behaviour (at work or at work events)
- grossly inappropriate conduct with a colleague (at work or at work events)
- any action likely to bring the Company into disrepute
- accepting a gift which could be construed as a bribe (in breach of the Anti-corruption and Bribery policy)
- sleeping during working hours
- breach of Health and Safety rules which endanger the health and safety of others
- refusing to allow a search to be carried out in accordance with the Company's rules
- failure to disclose correct information on your application to join the Company
- conviction for any serious criminal offence whilst an employee of the Company
- misuse of the email system (in breach of the Computer, Email and Internet policy and the Social Media policy)
- unauthorised use of the internet for personal reasons during office hours or downloading material from the internet without permission (in breach of the Computer, Email and Internet policy and the Social Media policy)
- unauthorised downloading of software or data (in breach of the Computer, Email and Internet policy and the Social Media policy)

Disciplinary Procedure

There are three stages to the Disciplinary Procedure:-

1. Investigation
2. Disciplinary hearing; and
3. Appeal

Issue Date 08/03/2017

Issue 1

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Investigation

No disciplinary action will be taken until the case has been fully investigated by the Company.

A written record of those investigations will be kept by the Company.

In certain circumstances an investigatory meeting may be necessary. This will not be a disciplinary hearing but an exploratory exercise.

Disciplinary hearing

The hearing will normally be held by your manager or a more senior manager and will normally be attended by a member of the Human Resources Department.

You will be advised in writing as to the nature of any complaint and will be given the opportunity to state your case and call any relevant witnesses at an appropriate hearing before a decision is made. You will be supplied with all relevant documentation supporting the complaint against you at the earliest opportunity.

You have the right to be accompanied by a work colleague (or Trade Union Representative) who may make representations and ask questions on your behalf. Your representative will not, however, be permitted to answer questions put to you by the Company.

You should take all reasonable steps to attend a disciplinary hearing. If however, you or your companion is not able to attend the hearing at the appointed time, you should notify the Human Resources Department. An alternative hearing will be arranged at a time to suit all parties, but ideally, not more than five working days after the date of the original hearing.

Failure to attend a re-arranged hearing, without good reason, will result in the Company making a decision in your absence.

Issue Date 08/03/2017

Issue 1

Document No: 030

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We may adjourn the hearing if we need to carry out further investigations, after which the meeting will usually be reconvened.

After the conclusion of the hearing, you will be advised, in writing, of the Company's decision. You have the right of appeal against the Company's decision to dismiss you.

Disciplinary sanctions

Except for acts of gross misconduct, the following sanctions will normally be imposed:

- For minor breaches of discipline, or failure to achieve satisfactory standards, a formal verbal warning will be given by Human Resources Manager. This will be removed after six months in the absence of further offences.
- For more serious offences, or in the event of further minor transgressions, a formal warning will be given in writing. This warning will normally be given by the Human Resources Manager. This will be removed after twelve months in the absence of further offences.
- In the event of further repetition of the misconduct or a failure to comply with a requested improvement, or in the case of misconduct or failure to comply with standards which do not amount to gross misconduct but which warrant a first and final warning, a final written warning will be issued by the Human Resources Manager. This warning will specify that the consequences of a failure to comply will normally be dismissal. This will be removed after twelve months in the absence of further offences.
- In the event of any further misconduct or failure to achieve satisfactory standards, or in the case of misconduct not amounting to gross misconduct but warranting dismissal, dismissal may result.

In cases of gross misconduct, you will normally be dismissed without notice or pay in lieu of notice or of accrued holiday pay. In exceptional circumstances, or if there are any genuine mitigating circumstances, alternative disciplinary action may be taken.

Issue Date 08/03/2017

Issue 1

Document No: 030

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The Company has the discretion to impose whichever sanction is appropriate and reasonable in all of the circumstances:

Rules for Suspension of Staff

Suspension will be on full pay and you will be informed in writing of this at the time. Suspension should not be considered as part of the disciplinary procedure. The suspension will be for no longer than is reasonable and necessary in the circumstances.

Appeals

If you are dissatisfied with any disciplinary decision affecting you, you may appeal to a Director within five working days of the disciplinary decision.

If the disciplinary action, which is the subject of the appeal, is your dismissal, the decision to dismiss you will stand unless it is reversed on appeal.

Any appeal must be put in writing, stating the grounds for appeal. The appeal will be heard by a senior manager who has not been involved in the initial proceedings. The appeal will review, but cannot increase a disciplinary penalty. You have the right to be accompanied to the appeal meeting by a work colleague (or Trade Union Representative). Your colleague may make representations on your behalf but may not answer questions on your behalf.

You should take all reasonable steps to attend the meeting. If however, you or your companion is not able to attend the meeting at the appointed time, you should notify the Human Resources Department. An alternative meeting will be arranged at a time to suit all parties, but ideally, not more than five working days after the date of the original meeting.

Failure to attend a re-arranged meeting, without good reason, will result in the Company making a decision in your absence.

The decision of the senior manager hearing the appeal is final. There is no further right of internal appeal.

Recordings

You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.

Signed for and on behalf of the company

A handwritten signature in blue ink, appearing to read 'Jo Shuttlewood', written in a cursive style.

Jo Shuttlewood – HR Director