



# Disciplinary and Grievance Procedure Template

## Resolving Problems

We believe that by having clear, open and fair procedures for the resolution of problems, we create a basis for the fair treatment of all our team.

## Disciplinary and grievance procedure

We expect our staff to meet high standards of conduct. Minor departures from our standards may be dealt with informally. Nevertheless, we recognise that there will be occasions when informal action is not appropriate, and in such cases this Policy will be implemented. This Policy will not usually be applied in the first two years of an employee's employment.

This Policy does not form part of your contract of employment and may be altered or amended at the absolute discretion of the business. We may start this procedure at any stage.

For disciplinary and grievance issues we may, at our absolute discretion, use an external third party to carry out any part or parts of this procedure.

## Disciplinary Procedure

### Investigation

- o An investigation may be undertaken prior to any disciplinary action
- o You must fully co-operate with any investigation
- o If you are invited to an investigation meeting, there is no right to be accompanied

### Suspension

- o If appropriate, we may suspend you on full pay. If you are suspended, your contract of employment will remain in force, but you will not be entitled to access any of our premises except at our prior request, or with our prior consent, and subject to such conditions that we may impose

## Disciplinary hearing

- o If it is decided that there is a disciplinary case to answer, you will be informed of this, normally in writing
- o You will be invited to attend a disciplinary hearing
- o You are entitled to be accompanied to a disciplinary hearing by a workplace colleague or a trade union representative
- o You will be given the opportunity to state your case before any decision is made
- o The chair of the hearing may decide the issue at the hearing or adjourn the hearing to consider their findings
- o You will be informed of the decision. This will normally be in writing

## Appeals

- o If you are dissatisfied with the outcome of the disciplinary hearing you may appeal. If you wish to appeal you must do so within five days of the date of the outcome letter (or where no letter is issued, the date you are informed of the decision)
- o An appeal should be in writing and must set out the grounds for your appeal along with any accompanying documentation
- o At an appeal hearing, you are entitled to be accompanied by either a workplace colleague or a trade union representative
- o The outcome of the appeal will be conveyed to you, normally in writing. The appeal decision will be final.

## **Misconduct**

Examples of misconduct are:

- o Occasional and minor poor timekeeping
- o Minor breaches of our rules
- o Minor failure to observe our procedures

These examples are not exhaustive or exclusive. Offences of a similar nature will also be dealt with under this procedure.

Misconduct, short of gross misconduct, will, depending on severity, normally result in a written warning. This would normally last for six months. If it is a final written warning, this would normally last for 12 months.

## **Gross Misconduct**

Examples of gross misconduct are:

- o Unauthorised absence
- o Theft, fraud and bribery (giving and receiving)

- o Falsification of records
- o Breaches of confidentiality or trust
- o Fighting or assault
- o Insubordination
- o Failure to obey a reasonable management order
- o Deliberate or reckless acts of damaging business property or property of another person
- o Serious breaches of business policies or procedures
- o Bringing yourself or the business into disrepute
- o Acting in a manner which undermines the trust and confidence in the employment relationship
- o Bullying, victimisation and/or harassment towards an employee, or external representative of another organisation
- o Being under the influence of alcohol (including below the drink drive limit) or drugs and/or consuming alcohol or drugs during working hours
- o Acts of verbal abuse and/or acts of violence or threats of violence towards either an employee, customer/customer or representative of another organisation
- o Possession and/or use/being under the influence of illegal drugs or legal highs
- o Negligence or incompetence that causes loss, damage or injury, or a serious risk of injury
- o Breaches of health and safety regulations
- o Covert or unauthorised recording of meetings

These examples are not exhaustive or exclusive and offences of a similar nature may be dealt with as gross misconduct. Gross Misconduct will normally result in dismissal without notice or payment in lieu of notice.

### **Grievance Procedure**

Where you have a grievance relating to any aspect of your employment, you should have no hesitation in raising the matter informally with your Line Manager.

If the grievance cannot be resolved informally and you wish to make a formal grievance, this must be set out in writing to your Line Manager.

Where it is not possible to raise the matter with your Line Manager, for example if they are absent for a significant period of time or if the grievance relates to them, then you should raise your concerns with a more senior Manager.

You will usually be invited to attend a meeting to discuss your grievance. You are entitled to be accompanied by a workplace colleague or trade union representative at the grievance meeting.

After the meeting the meeting Chair will inform you of their decision in writing. You have the right to appeal against the decision.

If you wish to appeal, you must do so in writing within five days of the date of the outcome letter. You will then be invited to attend another meeting, after which you will be informed of the final decision in writing.



For a bespoke contract or more information, please contact the HR Dept on [helena.white@hrdept.co.uk](mailto:helena.white@hrdept.co.uk) or call **0345 2004178**