

Backline Discipline & Grievance Policy

1. Purpose and scope

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The company rules (a copy of which is displayed in the office) and this procedure apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

2. Principles

Counselling will be offered, where appropriate, to resolve problems.

No disciplinary action will be taken against an employee until the case has been fully investigated.

At every stage in the procedure the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made.

At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

An employee will have the right to appeal against any discipline imposed.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

The minimum four-step statutory procedures will be followed if an employee faces dismissal or certain kinds of action short of dismissal

3. The Procedure

Stage 1 - improvement note: unsatisfactory performance

If performance does not meet acceptable standards the employee will normally be given an improvement note. This will set out the performance problem, the improvement that is required, the timescale and any help that may be given. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for ... months but will then be considered spent - subject to achievement and sustainment of satisfactory performance.

Stage 2 - first warning: misconduct

If the conduct does not meet acceptable standards the employee will normally be given a written warning. This will set out the nature of the misconduct and the change in behaviour required. The warning should also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning should be kept, but it should be disregarded for disciplinary purposes after a specified period E.g. (six months).

Stage 3: final written warning

If the offence is sufficiently serious, or there is a failure to improve during the currency of a prior warning for the same type of offence, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to action under Stage 3 (dismissal or some other action short of dismissal), and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after ... months subject to achievement and sustainment of satisfactory conduct or performance.

Stage 4 - dismissal or other sanction

If there is still a failure to improve the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which the employment will terminate, and the right of appeal. The decision to dismiss will be confirmed in writing.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after ... months subject to achievement and sustainment of satisfactory conduct or performance.

Statutory discipline and dismissal procedure

If an employee faces dismissal - or certain action short of dismissal such as loss of pay or demotion - the minimum statutory procedure will be followed. This involves:

- step one: a written note to the employee setting out the allegation and the basis for it
- step two: a meeting to consider and discuss the allegation
- step three: a right of appeal including an appeal meeting.

The employee will be reminded of their right to be accompanied.

Gross misconduct

The following list provides examples of offences which are normally regarded as gross misconduct:

- 1 theft, fraud, deliberate falsification of records
- 2 fighting, assault on another person
- 3 deliberate damage to organisational property
- 4 serious incapability through alcohol or being under the influence of illegal drugs
- 5 serious negligence which causes unacceptable loss, damage or injury
- 6 serious act of insubordination
- 7 unauthorised entry to computer records.

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.

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.

Raising a grievance

Employees are free to raise any grievance they may have about anything or anyone to do with their employment within the company. It is our policy to always have an ‘open door’ to discuss and resolve wherever possible at the shortest opportunity.

You should let your line manager know at the earliest opportunity the nature of your grievance either verbally or in writing.

The employee and their line manager should try and resolve any grievance informally in the first instance.

Where this is not possible a formal meeting will be arranged as quickly as possible, where the grievance is listened to and noted with as much detail to facts as possible. An investigation will then be taken to establish the facts of your case.

Employees can be accompanied at these meetings by a person of their choice and will have a right to appeal against any formal decision made.

The formal decision should be recorded in writing and any appeal should be made in writing within 5 working days.

If your grievance is about your line manager or of a personnel nature, you can request for a formal meeting to be heard by the next line manager or by HR

I confirm I have read and understand this policy.

Name

Signature

Date

