



Showpiece Design Limited, Tithe Barn Home Farm, Sulham Lane, Pangbourne, Berkshire, RG8 8DT

DISCIPLINARY & GRIEVANCE

Introduction

It is necessary to have a minimum number of rules in the interests of the business. The rules set standards of performance and behaviour whilst the procedures are designed to help promote fairness and order in the treatment of individuals.

It is our aim that the rules and procedures should emphasise and encourage improvement in the conduct of individuals when they are failing to meet the required standards, and not merely as a means of punishment. We reserve the right to amend these procedures where appropriate.

Every effort will be made to ensure that any action taken under this procedure is fair, with you being given the opportunity to state your case and appeal against any decision that you consider to be unjust.

The following rules and procedure should ensure that:

- (a) The correct procedure is used when requiring you to attend a disciplinary hearing
- (b) You are fully aware of the standards of performance, action and behaviour required of you
- (c) Disciplinary action, where necessary, is taken speedily and in a fair, uniform and consistent manner
- (d) You will only be discipline after careful investigation of the facts and the opportunity to present your side of the case. On some occasion temporary suspension on full pay may be necessary in order than an uninterrupted investigation can take place. This must be not regarded as disciplinary action or a penalty of any kind.
- (e) Other than for an "off the record" informal reprimand, you have the right to be accompanied by a fellow employee or trade union official at all stages of the formal disciplinary process
- (f) You will be normally be dismissed for a first breach of discipline, except in the case of gross misconduct
- (g) If you are disciplined, you will receive an explanation of the penalty imposed and you will have the right of appeal against the finding and the penalty.

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 this procedure, a breach of other specific conditions, procedures rules etc that are contained with other procedures or that have otherwise been made know to you, will also result in this procedure being used for such matters.

Rules Covering Unsatisfactory Conduct and Misconduct

You will be liable to disciplinary action if you are found to have acted in any of the following ways (these are examples only and not an exhaustive list):

- (a) Failure to abide by the general health and safety rules and procedures
- (b) Smoking in designated non-smoking areas, including when on client or customer premises
- (c) Consumption of alcohol during working hours, on our premises or those of our clients or customers
- (d) Persistent absenteeism and/or lateness
- (e) Unsatisfactory standards or output of work
- (f) Rudeness towards clients, customers, members of the public or other employees, objectionable or insulting behaviour, harassment, bullying or bad language
- (g) Failure to devote the whole of your time, attention and abilities to our business and its affairs during your normal working hours
- (h) Unauthorised use of emails and internet, or non-compliance with IT procedures
- (i) Failure to carry out reasonable instructions or follow or rules or procedures
- (j) Unauthorised use or negligent damage or loss of our company property, or that of our clients or customers
- (k) Failure to report immediately any damage to property or premises whether ours, our client or our customers caused by you
- (l) If your work involves driving, failure to report immediately any type of driving conviction or summons which may lead to your conviction

Serious Misconduct

Where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to your extreme carelessness or has a serious or substantial effect upon our business operation or reputation, you may be issued with a final written warning in the first instance

You may receive a final written warning as the first course of action if in an alleged gross misconduct disciplinary matter, upon investigation, it is shown to have some level of mitigation and is treated as an offence just short of dismissal.

Rules Covering Gross Misconduct

Occurrences of gross misconduct are very rare because the penalty is dismissal without notice and without any previous warnings being issued.

It is not possible to provide an exhaustive list or examples of gross misconduct.

However, any behaviour or negligence resulting in a fundamental breach of contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute gross misconduct.

Examples of offences that will normally be deemed as gross misconduct include serious instances of:

- (a) Theft or fraud
- (b) Physical violence or bullying
- (c) Deliberate damage to property
- (d) Deliberate acts of unlawful discrimination or harassment
- (e) Possession, or being under the influence, of illegal drugs at work and
- (f) Breach of health and safety rules that endangers the lives of, or may cause serious injury to, employees or any other person

(this list is not exhaustive)

Disciplinary Procedure

Disciplinary action taken against you will be based on the following procedure:

OFFENCE	FIRST OCCASION	SECOND OCCASION	THIRD OCCASION	FOURTH OCCASION
Unsatisfactory conduct	Formal verbal warning	Written warning	Final Written Warning	Dismissal
Misconduct	Written Warning	Final Written warning	Dismissal	
Serious Misconduct	Final Written Warning	Dismissal		
Gross Misconduct	Dismissal			

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

If you have a short amount of service you may not be in receipt of any warnings before dismissal but you will retain the right to be a disciplinary hearing and you will have the right of appeal.

If a disciplinary penalty imposed it will be in line with the procedure outlined below, which may encompass a formal verbal warning, written warning, final written warning or dismissal and full details will be given to you.

In all cases, warnings will be issued for misconduct, irrespective of the precise matters concerned and any further breaches of the rules in relation to similar or entirely independent matters of misconduct will be treated as further disciplinary matters and allow the continuation of the disciplinary process through to dismissal if the warnings are not heeded.

Disciplinary Authority

The operation of the disciplinary procedure contained in the previous section is based on the following authority at the various levels of disciplinary action. However, the list does not prevent a higher level of seniority progressing any action at whatever state of the disciplinary process.

	PERSON AUTHORISED TO TAKE DISCIPLINARY ACTION IN THE CASE OF:	
	SENIOR MANAGER	ALL OTHER EMPLOYEES
Formal Verbal Warning	Managing Director	Senior Manager/Line Manager
Written Warning	Managing Director	Senior Manager/Line Manager
Final Written Warning	Managing Director	Senior Manager/Line Manager
Dismissal	Managing Director	Senior Manager/Line Manager

Periods of Warnings

1. Formal Verbal Warning - A formal verbal warning will normally be disregarded for disciplinary purposes after a 3- month period.
2. Written Warning - A written warning will normally be disregarded for disciplinary purposes after a 6- month period
3. Final Written Warning - A final written warning will normally be disregarded for disciplinary purposes after a 12-month period

General Notes

If you are in a supervisory or managerial position then demotion to a lower status at the appropriate rate may be considered as an alternative to dismissal except in cases of gross misconduct.

Gross misconduct offences will result in dismissal without notice - You have the right of appeal against any disciplinary action.

Appeal Procedure

You have the right of appeal in respect of any disciplinary action taken against you.

If you wish to exercise this right, you should apply in writing to the person indicated in your disciplinary outcome letter.

It is important that your appeal gives the grounds that you are appealing or why you feel the penalty imposed is too severe, inappropriate or unfair in the circumstances.

You may be accompanied at the appeal hearing by a fellow employee of your choice and the results of the appeal will be made know to you in writing, normally within five working days after the hearing. This is the final stage of the process.

Grievance Procedure

1. It is important that if you feel dissatisfied with any matter relating to your employment you should have an effective means by which such a grievance can be aired and where appropriate resolved
2. Nothing in this procedure is intended to prevent you from informally raising any matter you may wish to mention. Informal discussion can frequently solve problems without the need for a written record. However, if you wish to raise a formal grievance you should normally do so in writing.
3. You have the right to be accompanied at any stage of the procedure by a fellow employee who may act as a witness or speak on your behalf to explain the situation more clearly.
4. If you feel aggrieved at any matter relating to your work (except personal harassment for which there is a separate policy, you should first raise the matter with your line manager, explaining fully the nature and extent of your grievance. You will then be invited to attend a meeting at a reasonable time and location at which your grievance will be investigated fully. You must take all reasonable steps to attend this meeting. You will be notified of the decision, in writing normally within ten working days of the meeting, including your right of appeal.
5. If you wish to appeal you must inform the individual identified in your outcome letter within five working days. You will then be invited to a further meeting, which you must take all reasonable steps to attend. As far as reasonably practicable, the Company will be represented by a more Senior Manager attended the first meeting (unless the most Senior Manager attended that meeting)

6. Following the appeal meeting you will be informed of the final decision, normally within ten working days, which will be confirmed in writing.

Signature:

Date:

24th January 2017

Name: Deanne White

Position: Director

Version Control

Issue	Description	Change Date	Made By	Approved	Approval date
1.0	Policy Statement			Yes	24/01/2017
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