**DISCIPLINARY RULES AND PROCEDURE**

**these rules & procedures do not form part of the employment contract and are therefore non-contractual**

1. The Company’s aim is to encourage improvement in individual performance and conduct. Employees are required to treat members of the public and other employees equally in accordance with the Equal Opportunities Policy. This procedure sets out the action which will be taken when disciplinary rules are breached.
2. **Principles:**

(a) The list of rules is not to be regarded as an exhaustive list.

(b) The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

(c) At every stage employees will have the opportunity to state their case and be accompanied by a fellow employee of their choice at the hearings.

(d) Only a Director has the right to suspend or dismiss. An employee may, however, be given a verbal or written warning by their immediate superior.

(e) An employee has the right to appeal against any disciplinary decision.

3. **The Rules:**

Breaches of the Company’s disciplinary rules which can lead to disciplinary action are:

* failure to observe a reasonable order or instruction;
* failure to observe a health and safety requirement;
* inadequate time keeping;
* absence from work without proper cause;
* failure to inform employer of reason for absence within 3 hours of absense.
* theft or removal of the Company’s property;
* loss, damage to or misuse of the Company’s property through negligence or carelessness;
* conduct detrimental to the interests of the Company;
* incapacity for work due to being under the influence of alcohol or illegal drugs;
* physical assault or gross insubordination;
* Use of Company’s IT equipment for non-work related activities.
* committing an act outside work or being convicted for a criminal offence which is liable adversely to affect the performance of the contract of employment and/or the relationship between the employee and the Company;
* using abusive language to other staff or customers.
* Racial, religious or any other discrimination.
* Use of social media during working hours
* Use of mobile phones during working hours.
* Abuse of company customers
* posting any information about the company and/or any of its directors or employees on the internet or any social media platform that may, in the eyes of the director(s), reflect poorly on the companies/employees/directors image, and/or damage the companies or any employees reputation.
* Falsification of timesheet and/or expenses records.

4. **The Procedure**:

(a) Oral warning

If conduct or performance is unsatisfactory, the employee will be given a formal oral warning, which will be recorded. The warning will be disregarded after twelve months satisfactory service.

(b) Final written warning:

If conduct or performance is still unsatisfactory, or if a further offence occurs within the 12-month period, a final warning will be given making it clear that any recurrence of the offence or other misconduct within a period of twelve months will result in dismissal.

(c) Dismissal

If there is no satisfactory improvement or if further misconduct occurs, the employee will be dismissed.

(d) Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (**the list is not exhaustive**) the normal consequence will be immediate dismissal:

\* theft or damage to the Company’s property including computer files, leaving company property unattended, incapacity for work due to being under the influence of alcohol or illegal drugs, physical assault and gross insubordination, falsification of time sheets or expenses records,sexual or racial harrassment, use of Company’s property for non-company activities, absence from work for a period in excess of 2 days without proper cause, failure to inform employer of reason for absence within 2 days of absence without proper cause, distruction of company property, posting of negative comments on any social media platform or on the internet.

While the alleged gross misconduct is being investigated the employee may be suspended, during which time he or she will be paid the normal hourly rate. Any decision to dismiss will be taken by the employer only after a full investigation.

(e) Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the Director/Owner/Manager within five working days. The employer will hear the appeal and decide the case as impartially as possible.

The parties hereto have signed this Agreement the day and year first above written.

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|  | Signed by the Employee |  | |
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