

IntaGR8 Disciplinary and Grievance Policy and Procedure

IntaGR8 expects that staff will, at all times, behave and work diligently, but there may be occasions where it is recognised that there is a need to encourage improvement in an individual's conduct and performance. Set out below is the action that will be taken when such improvements are required or when organisation's rules or procedures are breached.

IntaGR8 Disciplinary Procedure

1 Statement of grounds for action

1.1 IntaGR8 will set out in writing and give to the Employee, details of the Employee's alleged misconduct, or other circumstances that have led to the consideration of disciplinary action against the Employee.

1.2 IntaGR8 will invite the Employee to a meeting to discuss the matters stated in the statement, ideally within 5 working days.

2 Meeting

- a. The Employee must take all reasonable steps to attend the meeting.
- b. The Employee may be accompanied by a work colleague or an appropriate advocate.
- c. The Employee will be given the opportunity to state his/her case or version of events.
- d. After the meeting IntaGR8 will inform the Employee of the decision and of any action to be taken. The Employee will be notified of his/her right to appeal against the decision.
- e. In the case of gross misconduct or incompetence the Employee may be dismissed without any previous notice or warning. In other cases the Employee will be given an oral warning in the case of a first offence, and a written warning in the case of subsequent second or third offences before being dismissed.
- f. If a complaint of misconduct is made against an Employee, the Employer is entitled to suspend him/her on full pay for as long as may be necessary to carry out a proper investigation and hold a disciplinary hearing. The decision to suspend you will be confirmed in writing.

3 Appeal

The Employee must inform IntaGR8 if he/she wishes to appeal within 5 working days.

If there is an appeal IntaGR8 will arrange a second meeting. The Employee must take all reasonable steps to attend the meeting.

The Employee may be accompanied by a work colleague or an appropriate advocate.

After the appeal IntaGR8 will notify the Employee [in writing] of the final decision.

4 Procedure

If after an investigation and disciplinary hearing it is decided that disciplinary action may be appropriate the following steps will be taken:

The Procedure

Stage 1 - Oral Warning

If an Employee's conduct or performance is found to be unsatisfactory, the Employee will be given a formal oral warning, which will be recorded and a programme of work or behaviour agreed. An oral warning will remain on the Employee's personal file for 12 months and subject to the Employee's behaviour and/or performance will then be disregarded.

Stage 2 - Written Warning

If the first offence is serious, or a further offence is committed after an oral warning, or if there is no improvement in the standard of work, a written warning will be given. The warning will include the reason for the warning and state that if there is further misconduct or no improvement in performance a final warning will be given.

A written warning will remain on the Employee's personal file for 12 months and subject to the Employee's behaviour and/or performance will then be disregarded.

Stage 3 - Final Written Warning

If the first offence is sufficiently serious, or if the conduct or performance remains unsatisfactory after a written warning, a final written warning will be given. The warning will include the reason for the warning and state that if there is any further misconduct or no improvement in performance the Employee may be dismissed.

Stage 4 - Dismissal

If there is no satisfactory improvement if further misconduct occurs or if the Employee commits an act of gross misconduct, the Employee will normally be dismissed.

The Employer reserves the right to enter the procedure at stages 2, 3, or 4 above in certain cases where it is considered appropriate in all the circumstances to do so.

5 Examples of Gross Misconduct:

This is not an exhaustive list but would include:

- Fighting, physical assault or dangerous horseplay.
- Deliberate refusal or wilful failure to carry out a reasonable and lawful direct instruction given by management during working hours.
- Serious insubordination.
- Serious cases of bullying, offensive, aggressive, threatening or intimidating behaviour or excessive bad language.
- Theft, or misappropriation of IntaGR8 property.
- Wilful damage or negligence involving damage to property belonging to IntaGR8, customers/clients, other employees or the general public.

- Performing, arranging or carrying out any work or activity which could be considered to be in competition with, or which adversely affects in any way, IntaGR8's interests.
- Fraud or any other illegal offence committed against IntaGR8.
- Drinking alcohol during working hours, being under the influence of alcohol/drugs and/or drug abuse.
- Being in possession of or dealing in illegal drugs whilst at work.
- Breach of safety rules and/or any action, which seriously endangers the health or safety of an employee, or any other person whilst at work.
- Deliberately making a false entry in the written records of IntaGR8.
- Knowingly giving false information or deliberately omitting relevant information on the job application form or curriculum vitae.
- Unlawful discrimination harassment and bullying.
- Receipt of bribes to effect the placing of business with a supplier of goods or services.
- Inaccurate or fraudulent recording of financial transactions.
- Unauthorised access to or disclosure of any confidential information from whatever source including any personal data under Data Protection legislation.
- Falsification of working hours.
- Criminal offence causing harm to the reputation of IntaGR8 or relations with IntaGR8's employees.
- Unauthorised access to or disclosure of any part of IntaGR8's computer data.
- Acts of gross negligence or misconduct involving careless or reckless driving, including the use of hand-held mobile phones whilst driving.
- Loss of driving licence on conviction when driving is an essential part of the job requirements.
- The unauthorised use of mobile phones.
- Indecent or lewd behaviour of a serious nature.
- Smoking in designated non-smoking areas.
- Smoking inside IntaGR8's premises and/or vehicles.
- Serious misuse of IntaGR8's e-mail/internet or other computing resources.
- Abandoning duty without notification.
- The act of copying computer software without authorisation.
- The use of unauthorised software on IntaGR8's PCs. The unauthorised disabling of anti-virus software.
- Failure to carry out necessary virus checks.
- Use of pirate software on IntaGR8's PCs.
- Sleeping on duty.

IntaGR8 Grievance Procedure

1 Statement of Grievance

- a. It is IntaGR8's policy to comply with any legal requirements in these areas and to ensure that Employees with a grievance relating to their employment can use a procedure that will help to resolve matters as quickly and as fairly as possible. For this procedure to work effectively, Managers need to recognise that its purpose for the Employee may well be to change a management decision. Employees need to recognise that it is important for effective management, that Staff take early action on matters that trouble them, and whenever possible, raise these matters directly with the Manager concerned. For any Employee, using the grievance procedure can invoke fears of subsequent harassment and therefore a separate

section is included in this procedure for those Employees who, for any reason, perceive themselves to be the subject of harassment at work. Where a grievance is serious or an employee has attempted to raise a problem informally without success, the employee should raise it formally with management in writing. The procedure is:

- b. The Employee must set out his/her grievance in writing and give to his/her manager at IntaGR8. Should the grievance be with his/her manager, the grievance should be given to one of the Directors.

2 Meeting

- c. IntaGR8 will invite the Employee to a meeting to discuss the grievance, ideally within 5 working days.
- d. The Employee may be accompanied by a work colleague or an appropriate advocate.
- e. The Employee must take all reasonable steps to attend the meeting and will be given the opportunity to state his/her case.
- f. After the meeting IntaGR8 will inform the Employee of the response to the grievance and notify him/her of his/her right to appeal against the decision.

3 Appeal

- g. The Employee must inform IntaGR8 if he/she wishes to appeal within 5 working days of receiving the decision.
- h. IntaGR8 will invite the Employee to a second meeting to discuss the appeal.
- i. The Employee must take all reasonable steps to attend the meeting.
- j. After the meeting IntaGR8 will inform the Employee [in writing] of the final decision.

4 Harassment at Work

- k. Harassment of another Employee, Volunteer or member of the public is regarded as a disciplinary offence. If for any reason, an Employee perceives themselves to have been subjected to harassment at work, s/he should seek to resolve the matter through this grievance procedure. If the complaint involves an Employee's Manager directly, s/he should select another person within the organisation (preferably in a position of authority) with whom to discuss their grievance. If that is not possible **for good reason**, an Employee should approach the Board of Directors. The decision of IntaGR8's Chair of Directors will be considered as final.

Prepared by: R Raper	Policy Disciplinary and grievance
Dated: Sept 2015	Last Reviewed: NA
As agreed by board of directors Sept 2015	Next Review: Sept 2016