



# **Discipline Policy**



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Who's this for?	All Staff
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Owner (Executive Lead)	Chief Executive
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## Document Revision History

Version	Date	Description of Change	Author
1.0	June 2024	New policy and placed onto new policy template	Z Hammond
2.0	July 2024	Revisions made to reflect changes requested by Exec on 9 July 2025	Z Hammond

## Links to Associated Policies and Procedures

Grievance Policy  
Drug & Alcohol Policy  
Getting You Back on Track procedure  
Performance Policy (coming soon)

## **1. Introduction and purpose**

We aim to handle any concerns about workplace behaviour in a fair, timely and respectful way.

If we're worried about something, we'll usually have an informal chat with you first. Often, just talking things through early on can help us clear things up and move forward without needing to take it any further.

However, if that doesn't work, isn't suitable, or the matter is more serious, we may need to follow a formal disciplinary process.

This policy explains what that process looks like, who's involved, and what support is available to you.

Please note, this policy isn't part of your employment contract, and we may update it when needed.

## **2. Policy Aims and Objectives**

This policy outlines how we handle concerns about someone's conduct at work. It applies to all employees and workers, but not contractors, consultants or self-employed individuals.

Where possible, we'll try to sort things out informally. But if someone acts in a way that doesn't reflect our values or causes concern, we may need to take formal steps.

We know this process can be difficult, so we'll always treat you with respect and fairness. If you need extra support, please visit the Wellbeing pages on the Hive or contact ACAS for free, impartial advice.

If you have a disability or if English isn't your first language, and you need help taking part in the process, please get in touch with the People Team so they can make the right arrangements.

All information shared during this process is kept confidential.

## **3. Policy overview**

### **Informal Resolution:**

#### **Monitoring via Check-In's:**

If your manager has concerns about your conduct or behaviour that they feel can be resolved on an informal basis, they will raise this with you at the earliest opportunity and usually via the My Check-in process. Your manager will outline clearly the areas of concern and discuss and agree with you a plan for things to improve. Notes of any meetings and any plans drawn up will be shared with you.

#### **Mediation:**

Depending on the nature of the alleged misconduct, we might suggest using mediation as a way to find a solution. This is a completely voluntary process involving an impartial mediator who'll work with everyone involved to help resolve things in a constructive way. We'll only go ahead with mediation if everyone agrees to take part.

**Misconduct concerns:**

Where an allegation of misconduct is made against you that cannot be resolved informally, or it is not appropriate to do so, the allegation will be explained to you by your line manager (or, where appropriate, a different manager). The details of the allegation will also be confirmed to you in writing, together with a copy of this disciplinary procedure.

**Types of Misconduct:**

Examples of misconduct for which disciplinary action is appropriate include (but are not limited to):

- persistent poor timekeeping
- minor breaches of our rules or procedures
- refusing to carry out a reasonable instruction or request
- careless work
- time-wasting
- disruptive behaviour
- insulting or offensive behaviour towards others, not amounting to serious harassment or bullying

**Gross Misconduct concerns:**

Gross misconduct is conduct that is so serious, it justifies dismissal without notice or payment in lieu of notice, although we will always consider the circumstances of any case before deciding on the appropriate sanction. In cases of gross misconduct, suspension will be considered (see below)

**Types of Gross misconduct:**

Examples of gross misconduct include (but are not limited to)

- theft or fraud, including deliberate falsification of Group records
- acts or threats of physical violence either during employment or outside of work and impacting on working relationships
- serious instances of bullying or harassment (whether it takes place in person or online)
- acts of discrimination against fellow staff members, clients or customers
- deliberate damage to or misuse of company property
- action or conduct, whether or not in the course of your work, that negatively affects our reputation and which might reasonably lead a customer or supplier to withdraw its custom
- unauthorised disclosure of confidential information relating to the Group, its customers or suppliers
- serious breach of our rules, including, but not restricted to, health and safety rules
- serious breaches of the ICT Policy, such as accessing and/or downloading inappropriate adult material or accessing adult websites, and unauthorised entry to and / or alteration of computer records
- attending work under the influence of alcohol, drugs or legal highs. Possession, use of same, or dealing drugs on the Group's or customers premises
- smoking (including the use of e-cigarettes) in any unauthorised area
- deliberate breach of procedures on the handling of personal data
- deliberate refusal to follow reasonable instructions
- breach of cash-handling procedures
- breach of requirements relating to safeguarding of children or vulnerable adults
- deliberate breach of professional standards relevant to your employment
- offering or accepting a bribe within the meaning of the Bribery Act 2010

- breach of trust and confidence

### **Suspension:**

In some cases, for example where we are dealing with alleged gross misconduct, it may be appropriate to suspend you from work for a temporary period while the disciplinary matter is investigated.

If you are suspended, you may be asked to return items such as keys, laptops and company credit cards whilst the investigation is underway.

Any period of suspension will be regularly reviewed, kept as short as possible and will be on a fully paid basis.

You will be allocated a point of contact for the duration of your suspension.

Alternatives to suspension will also be considered, including whether it is possible for you to work temporarily in a different role or location.

### **Actions outside work:**

We may consider your actions outside of work (including your use of social media) to be gross misconduct, or misconduct, if they affect your ability to carry out your job or have a negative effect on our reputation.

### **Duty to Inform us about any Criminal Offence / Activity:**

If you are subject to a criminal investigation, charge or conviction, you must inform your line manager in writing or by email immediately. This will be assessed on an individual basis and a decision will be made as to whether disciplinary action should be taken, and the timing of this whilst any police investigation is underway.

This will take account of whether the offence is one that makes you unsuitable for your type of work, or, affects the employment relationship with the Group, your relationship with colleagues or customers, or, where this conduct brings the Group's reputation into disrepute.

If you are employed in a role where a requirement to drive is an essential part of your duties, you must inform your manager immediately if charged with any driving offence, including exceeding speed limit offences.

### **Process:**

#### **Stage 1 – Investigation**

We'll look into the issue to understand what's happened. An impartial manager will lead this.

They'll usually speak to you early on, as well as anyone else involved. When the investigation ends, you'll be told the outcome in writing. If we think no further action is needed, we'll close the matter. If not, we may move to a disciplinary hearing.

At this stage, you don't have the right to bring someone with you, since we're just gathering information.

#### **Stage 2 – Hearing**

If a hearing is needed, we'll let you know in writing at least two working days in advance. You can bring a work colleague or union rep with you.

The hearing will be led by a manager who hasn't been involved so far.

If you can't attend for a valid reason, we'll rearrange. If you can't attend again, the meeting may go ahead without you, but you can send in a written statement.

You'll be able to respond to the evidence and bring witnesses if relevant. Before the hearing ends, you'll have the chance to explain your side fully.

The manager may take a break to think things over. You'll usually hear the outcome shortly after, and it will also be confirmed in writing within five working days.

### **Potential Outcomes:**

If the allegations are upheld to any extent, formal disciplinary action may be taken, which could include:

**A written warning** is appropriate for instances of misconduct that are sufficiently serious to warrant disciplinary action, but where there is no current warning in place. The warning will set out the nature of the misconduct and explain that any further misconduct (similar or otherwise) will be likely to result in further disciplinary action. The warning will remain live for six months.

**A final written warning** is given in cases of serious misconduct or where there is a live first written warning in place and the circumstances justify it. It will set out the nature of the misconduct and make it clear that any further misconduct (similar or otherwise) will be likely to result in dismissal. The warning will remain live for 12 months.

If you are found to have committed misconduct while subject to a live final written warning, the outcome may be that you are dismissed with notice.

**Dismissal** - if you are found to have committed gross misconduct, the outcome may result in you being dismissed without notice. In these circumstances, your contract of employment will end immediately, although this will not affect your right of appeal.

In exceptional circumstances (for instances where you are likely to continue to commit misconduct even if subject to warning), you may be dismissed even if no warning of dismissal has been given. Depending on the terms of your contract, this may involve being given a payment in lieu of notice. If you are dismissed with notice, we reserve the right to instruct you not to work for the duration of your notice period.

**Action short of dismissal** - Where we find that the misconduct is sufficiently serious to justify dismissal, we may consider alternative disciplinary action such as suspension without pay, demotion, transfer to other work or removal of responsibility from your role e.g. line management responsibilities.

### **Referrals to Regulatory Bodies:**

Depending on the nature of the misconduct, the level of sanction issued and the type of role you are employed in, a decision may be taken to make a referral to the relevant professional body and / or the Disclosure and Barring Service. You will be notified of any referrals that are made.

**Appeal:**

You have the right to appeal at all of the above stages. To do this, you should write to the named contact in your outcome letter within five working days of receiving it. You will need to clearly explain why you're appealing – just disagreeing with the decision isn't enough on its own.

A different manager, or someone more senior, will review the appeal and make a final decision.

**4. Performance monitoring & compliance**

We track and monitor the number and type of disciplinarys that are undertaken across the Group and identify any areas of concern. Anonymised data is shared with our Executive Team.

**5. Data Protection**

All personal data processed, stored, shared and when responding to the rights of data subjects will be carried out in accordance with current data protection legislation (UK GDPR and the Data Protection Act 2018). Additional measures are in place for information pertaining to a disciplinary and access is restricted to authorised personnel.

**6. Review**

This policy shall be reviewed every three years unless there is a change in legislation or regulation.

**7. Date**

July 2025