



## Disciplinary and Grievance Policy

### Disciplinary Procedure

#### Introduction

The Company aims to achieve efficient and safe performance of work producing a high-quality service. These rules and procedures are aimed at encouraging employees to achieve and maintain standards of conduct, attendance and job performance and to ensure consistency and fair treatment for all employees who may become the subject of disciplinary action as a result of failure to meet certain requirements of the organisation.

The rules apply to any misconduct or failure to meet standards of performance or attendance. These rules are not contractual and we reserve the right to amend these rules and procedures from time to time.

Disciplinary action will only be taken when all reasonable efforts have been made to assist the individual. The organisation aims to ensure all disciplinary proceedings are conducted in a fair and impartial manner.

Employees will be informed in writing of what is alleged and will be given the opportunity to state their case at a disciplinary hearing. Other than for an "off the record" informal reprimand, employees have the statutory right to be accompanied at all stages of the formal disciplinary process by a fellow employee or a union representative, including appeals.

Employees should familiarise themselves with the organisation rules, procedures and policies and what is expected of them to ensure that any disciplinary action is kept to a minimum.

#### Verbal Warnings

It is only when it has been clearly established that a breach of discipline has taken place that you can start the disciplinary procedure. The first warning is normally oral if the offence is minor in nature and the individual is advised that this is the first step of the disciplinary procedure. A note will be kept of the date the warning was issued and the reason for the warning.

#### Written Warnings

A written warning will normally follow after a verbal warning if the misconduct continues, if the offence is repeated, or if the offence justifies a written warning in the first instance. A written warning will normally advise you and set out the nature of the offence or misconduct. You will be informed when your performance will next be reviewed and that the next stage of the procedure will be a final written warning.





## Final Warnings

Final warning follows on from the written warning if the offence is continually repeated if the misconduct continues. A final warning can also be issued where the offence or misconduct is of such a serious nature that it justifies a final warning in the first instance. You will be informed that the next step in the procedure will be dismissal if the offence is repeated or the behaviour continues. A copy of the warning will be kept on your personal file and will be removed after twelve months in the absence of further offences or misconduct.

The Following is a non-exhaustive list of examples which equal conduct that does not meet the accepted standards of the organisation and which would normally result in a verbal or written warning but would not result in a final warning:

- Bad time keeping;
- Absenteeism;
- Inefficiency;
- Disruptive behaviour;
- Abuse of authority; or
- Excessive breaks from work.

The following is a non-exhaustive list of examples of offences which equals conduct that does not meet the accepted standards of the organisation and which would normally result in a final warning or instant dismissal:

- Persistent minor misconducts;
- Abusive language;
- Damage to property;
- Failure to comply with rules; or
- Offensive behaviour towards fellow employees.

If during a period of verbal or written warnings you commit a particularly serious misconduct or offence then you may be instantly dismissed. You will be notified of termination of your employment whether with or without prior written warning, or with or without notice.

Where disciplinary action is being taken against you, you may be suspended without pay pending the decision of the disciplinary action to be taken. This may also apply if you are involved in criminal proceedings until the courts have dealt with your case.





## Summary Dismissal

The organisation reserves the right to terminate your employment with immediate effect in the case of gross misconduct. You will be suspended without pay except for the amount you are owed up to the date of termination. Occurrences of gross misconduct are very rare because the penalty is dismissal without notice and without any previous warning being issued. It is not possible to provide an exhaustive list of 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 the following:

- If you are convicted for a criminal offence, other than the Road Traffic Act for which only a fine is imposed;
- If you falsify any documents relating to your offer of employment;
- If you disclose or abuse in any way information that is confidential to the organisation;
- If you attempt to defraud the organisation of resources such as cash, equipment etc.;
- If you commit a serious breach of the organisation's policies or are guilty of serious indiscipline;
- If you attend work under the influence of alcohol or non-medically prescribed drugs;
- If you consume or distribute alcohol or drugs at work;
- Physical violence or bullying;
- Deliberate damage to property; or
- Deliberate acts of unlawful discrimination or harassment.

**This is a non-exhaustive list of examples of gross misconduct and result in instant dismissal.**

## Period of Warnings

### *Formal verbal warning*

A formal verbal warning will normally be disregarded for disciplinary purposes after a three-month period.

### *Written warning*

A written warning will normally be disregarded for disciplinary purposes after a six-month period.

### *Final written warning*

A final written warning will normally be disregarded for disciplinary purposes after a twelve-month period.

## Competence and Performance

If your performance is unsatisfactory, or if over a period of time, you fail to meet the level of performance you will receive a written warning to this effect and will be given a time period in which to improve. If your performance is seriously below the required performance standards you may be liable for dismissal.





## Hearings

You have the right to attend a hearing and make representation on your behalf before any disciplinary action is taken. This would include warnings, dismissal or deciding an appeal but does not include suspension.

You are entitled to have a colleague or union representative attend the hearing. If you wish the individual to have copies of documents or correspondence relating to the case then you must send an appropriate authority in writing to your line manager or the company's HR representative. It is your responsibility to ensure that the individual is willing and available to attend the meetings. The organisation reserves the right to reject the selection of any person if she/he has been involved or connected with the disciplinary action.

## Appeal Procedure

You are entitled to appeal any action taken against you under disciplinary procedures. Your line manager or the company's HR representative must be notified within three working days of you being informed of the disciplinary action. You must state three reasons for appeal which must also be in writing. An appeal against any disciplinary action cannot be used to re-open a case unless there is new material that was not available previously or was overlooked when making the original disciplinary decision.

Your line manager or the company's HR representative will arrange a meeting within five days to hear the appeal. The result of the appeal will be made known to you in writing, normally within five working days after the hearing. This is the final stage of the appeal process.

## Grievance Procedure

The organisation believes that all grievances should be resolved as quickly as possible and that all complaints will be examined impartially and given serious consideration. Normally these grievances can be handled on an informal basis. However, sometimes a more formal approach is necessary. The following procedure should be followed if the matter cannot be resolved at an unofficial level:

- If you have a grievance then you should provide details in writing to your supervisor or manager and every effort to resolve it will be made at this stage.
- You should receive a written answer within three working days.
- If you are not satisfied with the reply, or if you have not received an answer, you should submit a written request for an interview with an appropriate senior manager. A meeting will then be arranged to discuss the matter. You should receive a decision within three working days.
- If you are still dissatisfied then you should ask for a meeting with the owner or director of the company. You should receive an answer within five working days.

An employee representative or colleague may accompany you to all the meetings.



# Home-School Tutoring

Hertfordshire & Cambridgeshire Ltd

01707 907709

alternativeprovision@homeschooltutoringhertscambs.co.uk  
admin@homeschooltutoringhertscambs.co.uk



You should notify the decision-making individual that you wish this individual to make representation on your behalf.

If the grievance relates to your direct supervisor or manager then you should go directly to a more senior member of management whom you feel is more appropriate.

If you wish to appeal you must inform the owner or director of the company in writing, within five working days. You will then be invited to a further meeting.

Following the appeal meeting you will be informed of the final decision, which will be confirmed in writing.

This Policy has been approved and authorised by:

**Name: Sarah Jones**

**Position: Director**

**Date: 26.3.25**

**Signature:** 

