



GRIEVANCE AND DISCIPLINARY PROCEDURES

These are procedures applicable to employees who have completed their probationary period. They do not form part of an employee's terms and conditions of employment.

Cadet Vocational College aims to ensure that there will be a fair and systematic approach to the enforcement of standards of conduct and performance affecting all levels of employee. To this end the following procedure will apply:

GRIEVANCE PROCEDURE

Cadet Vocational College recognises that from time to time employees may seek redress for grievances relating to their employment. In this respect, Cadet Vocational College's policy is to encourage open communication between employees and their Line Managers to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.

In most cases any problems that arise are likely to be discussed and resolved informally between the employee and Line Manager and, in all but exceptional cases; employees should seek to follow this approach in the first instance. However, if the employee is not satisfied with the outcome of informal discussions he or she may wish to pursue the problem through the grievance procedure. The following procedure should be adopted where an employee has a grievance arising from their employment, (except where the matter constitutes an appeal against a disciplinary decision which should be taken up in accordance with Cadet Vocational College's disciplinary appeals procedure).

If an employee feels uncomfortable raising the issue with their Line Manager, the employee can contact the HR Manager.

Step 1

Where an employee has a grievance arising from employment, they should initially raise the matter in writing, with their Line Manager.

Step 2

The employee will be invited to attend a meeting to discuss the grievance within five working days from the date the grievance was initially raised or as soon as is reasonably practicable. The grievance should be heard by a Line Manager who is not involved in the grievance, wherever possible. The employee must take all reasonable steps to attend the meeting. After the meeting the

employee will be informed of the decision made in relation to their grievance, normally within five working days, and notified of their right to appeal against the decision if they are not satisfied.

Step 3 - Appeal

Should the employee remain dissatisfied, he/she may, within five working days from the date of notification, inform Cadet Vocational College of their wish to appeal in writing. The appeal will normally be conducted by a more senior Line Manager than attended the first meeting, who will hear the appeal and decide the case as impartially as possible. A further meeting will be held and the employee must take all reasonable steps to attend.

After the meeting the employee will be informed of Cadet Vocational College's final decision within five working days. A copy of the employee's grievance and the response from the Line Manager will be placed on the employee's file.

Grievance After Termination

If you wish to lodge a grievance after your employment has terminated, please write to your Line Manager setting out your complaint.

HR Adviser

Cadet Vocational College may utilise the services of an HR Adviser to advise on the Grievance Procedure and attend meetings.

DISCIPLINARY PROCEDURE

It is essential that certain standards of performance and conduct are maintained. These are regulated by disciplinary rules and procedures which are designed to provide guidance to both Line Managers and employees and to ensure the fair and consistent treatment of employees in disciplinary matters. They apply to all employees who have satisfactorily completed their probationary period.

Purpose

The main purpose of the disciplinary procedure is to encourage improvement in those areas where an employee is not reaching the standards expected by Cadet Vocational College. Except for instances of Gross Misconduct, dismissal will not normally be the first step.

Informal Discussion

In the vast majority of cases prior to the formal disciplinary procedure being invoked, minor infringements and lapses will initially be brought to the employee's attention by their immediate Line Manager in informal discussions, accompanied by the offer of assistance towards achieving improvement and with the aim of bringing about the required improvement in performance or conduct. It is hoped that employees will generally be able to quickly resolve performance or conduct problems through discussion with their Line Manager in the normal course of work. Such informal internal discussions are not usually recorded.

Formal Disciplinary Procedure

The formal disciplinary procedure is only intended to be used for more serious transgressions or repeated incidents where informal oral warnings have been given.

If there is no improvement in the required performance, standard or conduct of the employee, the formal disciplinary procedure will be instigated. However, in situations where Cadet Vocational College does not consider informal discussions appropriate, it may go straight to the first, or any other stage of the formal disciplinary procedure depending upon the seriousness of the case. Except for instances of gross misconduct, dismissal will not be the first step. Employees may become subject to disciplinary measures either through their acts or omissions i.e. for doing something you should not do or for not doing something you should. The following are examples of Misconduct and Gross Misconduct. These are examples only and not an exhaustive list:

Misconduct

- Poor time keeping.
- Unauthorised absence.
- Unreasonable levels of absence.
- Failure to meet the adequate standard of job performance.
- Failure to comply with procedures.
- Failure to answer a question during a properly constituted investigation.
- Minor violation of health and safety practices.
- Minor breaches of Employer regulations.
- Smoking in the office.
- Poor personal hygiene.
- Improper use of business funds or property. For the avoidance of doubt, usage of Employer's equipment and vehicles for work undertaken not on behalf of the Employer is not permitted.
- Excessive and/or inappropriate use of work email and internet systems.

Gross Misconduct

The following acts are examples of gross misconduct and as such are considered so serious that the employee may be liable to instant dismissal. These are examples only and are not an exhaustive list:

- Theft or wilful damage of or negligence which leads to damage to, property belonging to Cadet Vocational College, its customers or suppliers, or other employees;
- Drunkenness, or being under the influence of legal or illegal drugs;
- Discrimination on the grounds of sex, age, race, pregnancy and maternity, religion and belief, disability, marital status, gender reassignment, or sexual orientation (actual or perceived);
- Harassment or bullying of colleagues or customers;
- Accepting bribes;
- Fraud, dishonesty or any other offence which would be a breach of the law of the land;
- Assault or attempted assault of other employees or customers;
- Failure to carry out a reasonable management instruction given by a Line Manager during working hours or serious disregard of duties;
- Serious breaches of the Health and Safety policy;

- Serious misuse of work email and internet systems e.g. accessing obscene or pornographic sites;
- Aggressive, disorderly or improper behaviour either during the course of work or at Cadet Vocational College supported events (e.g. Christmas parties, work social functions, familiarisation trips, Business Away Days etc.);
- The disclosure, directly or indirectly, of any information relating to Cadet Vocational College or its clients to anyone other than those authorised to receive it;
- The making of false statements about an employee's work, the falsification of working papers or the making of any statements likely to be detrimental to the goodwill or reputation of Cadet Vocational College or its clients;
- Removing or tampering with any of Cadet Vocational College's IT infrastructure and/or equipment;
- Misuse of electrical or other equipment;
- Unauthorised operation of any item of machinery, plant or equipment;
- Loss of driving licence where driving on public roads forms an essential part of the duties of the post;
- Wilful misrepresentation at the time of appointment including failure to disclose a criminal conviction/caution within the provision of the Rehabilitation of Offenders Act;
- Covert or unauthorised recording of meetings.

Disciplinary Meeting

If, after initial investigations, there are potential grounds to proceed, the employee will be given written notice to attend a disciplinary meeting to be held by the appropriate Line Manager, or a Director. The purpose of the meeting is to consider whether any disciplinary action should be taken and the employee will be informed of the purpose and format of the meeting and the role of those attending. The employee will be given the opportunity to respond, state his or her case, and present any evidence or provide witnesses.

The meeting will be adjourned as necessary to consider the evidence provided, conduct further investigations or to determine the disciplinary action, if any, which should be taken.

You must take all reasonable steps to attend the meeting. Where you are unable to attend more than one meeting the Company may, in certain circumstances, hold the meeting in your absence and make their decision based on the evidence available to them at the time.

Whilst every case will be considered on an individual basis, employees should be aware that being absent due to sickness or any other reason does not preclude the Company from taking disciplinary action where appropriate.

Depending on the severity of the offence and taking into account all the circumstances the disciplinary action may take any one of the following forms:-

Formal Oral Warning

Where work performance or conduct is not reaching the standards required by the business, the Line Manager will discuss the shortfall with the employee and suggest ways in which improvement might be made. Employees will be advised that this warning represents the first stage of Cadet

Vocational College's disciplinary procedure and that any further or sustained breaches may result in a formal written warning or other appropriate disciplinary action.

A brief note of the warning should be given to the employee and retained on their personnel file for a period of six months and will normally be disregarded for disciplinary purposes after six months, subject to satisfactory and sustained improvement.

It is expected that in most cases an oral warning will quickly resolve any problems. Where there is a more serious case of misconduct or an employee fails to improve and maintain that improvement with regard to conduct or job performance the following steps will be taken.

Formal Written Warning

Where an employee has failed to improve following a formal oral warning, or has consistently demonstrated unsatisfactory performance or conduct which would not justify summary dismissal, he/she will be interviewed by their Line Manager.

The employee will be informed of the nature of the complaint and such evidence as may exist. The employee will then be invited to give an explanation of the matter.

Following the meeting and careful investigation of all the facts, the Line Manager may, depending upon the circumstances and whether any previous warnings have been issued, decide to issue a formal written warning stating:

- details of the misconduct or performance issue,
- details of the necessary action to correct the situation,
- period of review,
- details of possible further action should the situation not be resolved.

A copy of the warning will be given to the employee and retained on their personnel file for a period of 12 months and will normally be disregarded for disciplinary purposes after 12 months, subject to a satisfactory and sustained improvement.

Final Written Warning

During the period of review, if the employee consistently demonstrates unsatisfactory performance or misconduct or should further incidents of the same misconduct or performance issue arise, then the same discussion process will be followed and the employee will again be invited to give an explanation of the matter. Following this meeting, careful investigation of the facts and consideration for the employee's explanation will be made and subsequently, a final written warning letter may be issued stating;

- reference to previous oral and written warning(s),
- details of the further misconduct or performance issue,
- the improvement required and the period of review,
- confirmation that any further breach of the same offence will result in instant dismissal.

If a final written warning is given, a copy will be kept on the employee's personnel file and will normally be disregarded for disciplinary purposes after 12 months, subject to satisfactory and sustained improvement.

Dismissal

If conduct or performance continues to be unsatisfactory the employee will receive a statement, setting out in writing, the alleged conduct or characteristics, or other circumstances, which lead Cadet Vocational College to contemplate dismissing the employee. The employee will be invited to attend a meeting to discuss the matter.

The employee will be given a reasonable opportunity to consider their response to the information provided and should take all reasonable steps to attend the meeting.

If the decision is taken to dismiss, the employee will be provided with the written reasons for their dismissal within five working days of the date of their dismissal and notified of their right to appeal against the decision if they are not satisfied.

Appeals Procedure

Should the employee remain dissatisfied, he/she may, within five working days from the date of notification, inform Cadet Vocational College of their wish to appeal in writing. The appeal will normally be conducted by a Director, who has not been previously involved so that an independent decision into the severity and appropriateness of the disciplinary action can be made. A further meeting will be held and the employee must take all reasonable steps to attend. The appeal meeting need not take place before the dismissal has taken effect.

After the meeting the employee will be informed in writing of Cadet Vocational College's final decision within five working days.

HR Adviser

Cadet Vocational College may utilise the services of an external HR Adviser to advise on the Disciplinary Procedure and attend meetings.

Summary Dismissal

Such dismissal is immediate on grounds of Gross Misconduct.

Employees may be summarily dismissed by an appropriate senior Line Manager or other authorised person if, after investigation, it is established that there has been an act of Gross Misconduct, major breach of duty or conduct that brings Cadet Vocational College into disrepute.

Should an employee be summarily dismissed on grounds of Gross Misconduct, notice will not be given, money in lieu of notice will not be paid and the provision of other benefits will cease immediately.

In these circumstances Cadet Vocational College will set out in writing:

- the employee's alleged misconduct which has led to the dismissal
- the reasons for thinking that the employee was guilty of the alleged misconduct
- the employee's right of appeal

EMPLOYEES WHO HAVE BEEN EMPLOYED FOR LESS THAN TWO YEARS

The full disciplinary procedure does not apply to any employee who has been employed by the Company for less than two years.