



GSS - Grievance and Disciplinary Policy

1. Purpose and scope

Global Solution Services UK Ltd (GSS) aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached.

Our procedure is designed to ensure that all staff are aware of and understand their rights and responsibilities relating to discipline. It aims to facilitate satisfactory standards of conduct and performance, to encourage improvement where appropriate and to ensure that cases of alleged misconduct, unacceptable performance or other acts or omissions considered by GSS to warrant consideration of disciplinary action are dealt with consistently and fairly within a reasonable timeframe.

This procedure will apply to all staff, contractors, Temporary workers and those who are Associates of GSS

Note: The procedure does not apply to termination of employment:

- Arising from the conclusion of the employment for which a member of staff, contractor or associate was specifically appointed where the term or need for such an appointment has expired or is about to expire.
- During or at the end of a period of probationary service
- By reason of redundancy
- Where the member of staff is above the normal retirement age (currently 65)
- Arising from ill-health

2. Principles

- 2.1 All GSS Management and supervisors are responsible for identifying promptly any deficiencies in conduct or performance, discussing the matter with the individual member of staff and assisting him/her to improve. Minor matters will normally be dealt with informally
- 2.2 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.
- 2.3 At every stage of the disciplinary employees will have the opportunity to state their case and be represented or accompanied, if they wish, at the hearings by a trade union representative or a work colleague.
- 2.4 An employee has the right to appeal against any disciplinary penalty.

3. The Procedure

3.1 Informal Procedure

- 3.1.1 In many circumstances it will not be appropriate to proceed immediately to formal disciplinary procedures and minor cases of misconduct may be dealt with by informal advice, coaching and support rather than through the formal disciplinary procedure.
- 3.1.2 Those in management should discuss problems with individuals with the objective of encouraging to improve. Informal warnings are not part of the formal disciplinary procedure.

3.2 Poor Performance

- 3.2.1 All staff at GSS have a responsibility to perform their role to a satisfactory level and will be given reasonable help and encouragement to do so. GSS Management will be responsible for setting realistic and measurable standards of performance and ensuring that members of staff understand what is required of them.
- 3.2.2 Where individuals fail to perform to the required standard the matter will be investigated. Where this is found to be lack of skills, wherever practicable GSS will assist through training or coaching and give reasonable timeframe to reach the required standard. Where the poor performance is due to negligence or lack of application on the part of the individual then formal disciplinary action may be taken.

3.3 Formal Procedure

- 3.3.1 If conduct or performance does not meet acceptable standards after attempts to resolve minor matters informally have been made, or in more serious situations, the formal procedure should be followed at the appropriate stage.

3.3.2 **Stage 1 - first written warning**

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 6 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organisation, it may be justifiable to move directly to a final written warning.)

3.3.3 **Stage 2 - final written warning**

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 1 month, action at Stage 3 will be taken.

3.3.4 **Stage 3 - dismissal or action short of dismissal**

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

4. Statutory discipline and dismissal procedure

If an employee faces dismissal - or action short of dismissal such as loss of pay or demotion - the minimum statutory procedure will be followed. This involves:

- step one: a written note to the employee setting out the allegation and the basis for it
- step two: a meeting to consider and discuss the allegation
- step three: a right of appeal including an appeal meeting

The employee will be reminded of their right to be accompanied.

5. Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (see examples of gross – misconduct – this list is not exhaustive), the normal consequence could be dismissal without notice or payment in lieu of notice or;

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate if they are full time staff member. (This does not apply to temporary, Contract or casual staff). Any decision to dismiss will be taken by GSS Directors only after full investigation and Disciplinary Hearing has taken place.

6. Appeals

An employee who wishes to appeal against any disciplinary decision must do so to Sonia Benjamin-Leach or Richard Wood within five working days. The employer will hear the appeal and decide the case as impartially as possible.

Appendix 1 – Examples of Gross Misconduct

Disciplinary procedures are intended, inter alia, to encourage efficient and safe performance of work, and the maintenance of satisfactory relations at work. This section outlines types of conduct which could be considered to be Gross Misconduct. It is not possible to provide an exclusive or exhaustive list, and the examples given should be taken as guidance only.

Examples of offences which are normally regarded as gross misconduct and likely to result in consideration of dismissal with immediate effect can include:

- theft, misappropriation or unauthorised possession of the assets, funds, equipment and/or property of GSS, its' customers, staff, or visitors,
- fraud, including any deliberate attempt to defraud GSS, its customers, staff, or other persons or organisations in the course of duties and responsibilities,

- corruption, including the acceptance of money, goods, favours or excessive hospitality from outside parties in respect of acts or service(s) rendered which are contrary to the interests of GSS,
- deliberate falsification or misrepresentation of records or claims made,
- serious harassment or bullying,
- physical violence towards fellow members of staff, customers or visitors,
- deliberate damage to property belonging to GSS, staff, customers or visitors,
- serious negligence or breach of safety rules potentially causing unacceptable loss, damage or injury,
- flagrant disregard of GSS policies, procedures, regulations or rules in force from time to time.
- serious incapability at work or on duty through alcohol, the use of illegal drugs or other substances,
- Serious acts of insubordination, including flagrant refusal to comply with a reasonable instruction.
- Serious misuse of GSS's property, facilities or name,
- Acts or omissions which might damage the GSS's operations and or which might bring GSS into serious disrepute.

A handwritten signature in black ink, enclosed in a thin black rectangular box. The signature is stylized and appears to be 'Sonia Benjamin-Leach'.

September 2016 v4
Signed by Sonia Benjamin-Leach
Director