

Heritage Care at Home Ltd Disciplinary Policy

Policy reviewed and valid from: 01/01/20



Policy Statement

Heritage Care at Home Ltd believes that any form of disciplinary action which has to be taken should be aimed at identifying those problems which caused or made a contribution to the disciplinary action having to be taken, and to assist in correcting them.

We believe that it is in the interests of all that disciplinary actions are carried out in a prompt, uniform and impartial way and that the main purpose of disciplinary action being carried out is so the problem can be corrected, prevent a recurrence and prepare the employee for the future.

Aim

This policy is written with the intention to set values, principles along with policies underpinning Heritage Care at Home Ltd's approach to staff discipline. With this policy the purpose is to ensure a fair and systematic approach to the enforcement of acceptable standards regarding conduct and behaviour amongst all employees.

Staff Disciplinary Policy

Heritage Care at Home Ltd may take disciplinary action in response to one of the following:

- Unsatisfactory performance at work
- Improper behaviour at work
- Persistent lateness or absenteeism
- Misconduct

Within Heritage Care at Home Ltd the forms of disciplinary action may take one of the following forms albeit depending on the severity of the problem and number of occurrences being taken into account:

- Verbal warnings
- One or two written warnings
- Suspension with or without pay
- Dismissal

Heritage Care at Home Ltd has a procedure whereby the following applies:

- For offences other than serious gross misconduct, the employee's immediate line manager should first ascertain the facts and review any evidence relating to any breach of rules or discipline. The employee will be interviewed in private and should be asked for an explanation. The immediate manager will then decide upon a course of appropriate action.

- If a informal, verbal warning is decided upon then this will be carried out in private by the immediate line manager and appropriate notes made and filed in the employees personal file

- If a formal, written warning is required, because an informal warning has already been given for the offence or because the severity of the offence is something only a senior manager or company director can carry out. Appropriate notes need to be made and placed in the employees file.

- If the offence is repeated or any agreed improvements are not made then a second and final written warning may be issued.

- If standards improve and there is no further repetition of the offence then the employee may request that the warning is removed from their file after 12 months. The company reserves the right to refuse to remove the offence from the file if it feels that the offence warrants or that there is a likelihood of further transgression.

- An employee may be suspended without pay if the company deems them incapable of performing their duties or while investigations take place. A written copy of the suspension should be given to the member of the company.

An employee may be dismissed if

- They have already received a final written warning and repeat the offence
- They have been suspended and the company decides that, upon investigation, their offence merits dismissal
- They have committed serious or gross misconduct
- They have committed an offence that makes their continued employment impossible

The company recognises that there are certain types of issues that are so serious they justify either, a suspension or, in extreme situations, dismissal, without verbal or written warnings being given.

Within Heritage Care at Home Ltd the following apply

Disciplinary matters should be dealt with quickly and fairly

- An indication should be provided of the disciplinary action which may be taken
- Line managers can issue verbal warnings
- Only the head of the company or senior company management can issue written warnings and dismissals
- Employees have to be informed of the complaint against them and to be given the full opportunity to state their case before any decision is taken.
- Employees have the right to be accompanied by a trade union representative
- Other than misconduct employees will not normally be dismissed for the first offence
- Until there has been a full investigation no disciplinary action will be taken
- There will be an explanation of any penalty which will be given
- Employees have a right of appeal

Written warnings

Written warnings should clearly state:

- The conduct concerned
- The improvement required and the time limit for this if appropriate
- The likely consequences of further offences or failure to improve (final warning, dismissal etc)
- The warning should be handed to the employee or posted by recorded delivery, who should be informed of the right of appeal.

Appeals

Appeals should be made to the head of the company and not pursued through the company's grievance procedure. Where a final decision within the company is contested, or where the matter becomes a collective issue between management and a trade union, then appeals should be made via an external body such as ACAS.

Records

Any records will be kept in the employee's personnel file detailing the nature of any disciplinary action taken and the reasons for it, was an appeal lodged, its outcome and any subsequent developments. These records are kept confidential