

Disciplinary Policy



Document Control

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1. The Policy

- 1.1. This policy sets out Waverley Housing's (hereinafter referred to as the Company) approach to the required standard of conduct from Employees at work. The Company's aim is to maintain high standards of performance and behaviour and to make sure that all Employees are aware of the standards of behaviour expected from them.
- 1.2. This policy sets out below a list of rules and behaviours that the Company expects Employees to adhere to. It also sets out the processes that the Company will adhere to when dealing with poor performance and misconduct to ensure that all Employees are dealt with consistently.
- 1.3. This disciplinary policy should be seen as a mechanism for helping Employees where their conduct is unsatisfactory rather than simply being a process for imposing sanctions.

2. Company Rules

- 2.1. The Company expects all Employees to adhere to a number of general rules when carrying out their duties. If an Employee breaks the rules set out below then disciplinary action may be taken against them. The list of rules set out below is not exhaustive and other rules may be added to or considered under the terms of this policy from time to time.
- 2.2. Employees are required to comply with the following list of rules:
 - a) To attend work at the appointed time and to maintain acceptable time-keeping.
 - b) To observe the Company's absence reporting procedure.
 - c) To maintain an appropriate standard of dress and personal appearance in line with Company requirements.
 - d) To observe the Company's health and safety policies and procedures, and to report any accidents, near misses or other instances that result in injury or illness to themselves, fellow Employees or any other individual at work.
 - e) Smoking/vaping is prohibited throughout the entire workplace, with no exceptions. This includes all property, land, vehicles and housing stock owned by the Company.
 - f) To comply with the Company's policy on Company vehicle use. In particular, Employees must immediately report any accidents involving Company vehicles or damages to those vehicles.
 - g) To take care of all Company equipment, including Company vehicles.
 - h) To obey all reasonable management instructions.
 - i) To be polite to all customers, clients, suppliers of the Company.
 - j) To observe the Company's policies relating to equality and harassment.
 - k) To observe the Company's policies and procedures on data protection and mobile phones, electronic communications and social media.
 - l) To keep confidential both during and after their employment with the Company all information gained in the course of their employment relating to the Company and/or its clients, customers or suppliers.

3. Gross Misconduct

- 3.1. In addition to the general rules set out above, the Company has set out below a list of behaviours that the Company would consider as gross misconduct. The following types of behaviour may result in the Employee's dismissal without notice. Note that this list is not exhaustive.
- a) Fraud, theft or dishonesty.
 - b) Falsification of time-sheets or expenses claims or other documentation relating to employment.
 - c) Violent conduct towards fellow employers, customers, clients or suppliers.
 - d) Threatening conduct or swearing at fellow Employees, customer, clients or suppliers.
 - e) Gross in-subordination or a repeated refusal to obey a reasonable management instruction.
 - f) Gross negligence and professional incompetence.
 - g) Serious breach of trust and confidence.
 - h) Instances of bullying or harassment.
 - i) Serious breach of the Company's policy on equality, including discriminatory acts based on a person's age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity.
 - j) Serious breach of the Company's Use of Mobile Phones, Electronic Communications & Social Media Policy, including the downloading or sending of pornographic, sexually explicit or offensive material.
 - k) The deliberate or negligent introduction of viruses into the Company's computer system.
 - l) Attending work whilst unfit as a result of alcohol or illegal drugs, including any instances where alcohol is consumed or illegal drugs used during working hours.
 - m) Smoking in places where it is illegal to smoke.
 - n) Serious breach of the Company Health and Safety Policy.
 - o) Serious breach of the Bribery; Entitlements, Benefits & Payments and Code of Conduct Policies, Financial Regulations and Procedure.

4. Disciplinary Procedure

- 4.1. The Company is committed to following a full and fair process in dealing with disciplinary matters to ensure consistency of treatment for all Employees. Set out below is the process that the Company will normally follow. Note however that the Company reserves the right to change or amend this policy from time to time.

5. Investigation

- 5.1. Prior to taking any disciplinary action, the Company will fully investigate any allegations of wrongdoing. Notes will be taken of all interviews and meetings in connection with the investigation, and these notes will normally be made available to the Employee and their representative prior to any disciplinary hearing.

6. Suspension

- 6.1. In cases of gross misconduct, the Company may elect to suspend the Employee on full pay to allow an investigation to take place. The period of the suspension will be kept to a minimum, and will not be viewed or treated as a punishment against the Employee.
- 6.2. Where an Employee is absent from work due to sickness during any period of suspension, the suspension will automatically come to an end, and the Employee will be treated as on sickness absence, and will receive his/her sick pay entitlement.

7. Informal Stage

- 7.1. Minor conduct and performance issues will normally be dealt with by the Employee's immediate line manager and may take the form of advice, counselling or a reprimand. The aim of the informal stage is to set out what standard is expected such as to avoid further disciplinary sanction.

8. Formal Stage

8.1. Verbal Warning

Where an Employee has committed a breach of the Company Rules above, or where performance is unsatisfactory, the Company may issue a verbal warning. This warning will be confirmed in writing and will be retained on the personnel file. However this warning will subsequently be disregarded after a period of six months from the date of issue subject to any required improvement to performance being achieved.

8.2. Written Warning

Where there are repeated minor breaches of Company rules following a verbal warning or the informal stage has been unsuccessful, or there has been more serious misconduct or performance remains unsatisfactory the Company may issue a first written warning. A first written warning will be held on the personnel file; however it will subsequently be disregarded after a period of 12 months from the date of issue subject to any required improvement to performance being achieved.

8.3. Final Written Warning

Where further breaches of discipline or unsatisfactory performance standards continue after a written warning, or where the misconduct is viewed as serious, the Company may issue a final written warning. The final written warning will specify that any further breaches of discipline may result in an Employee's dismissal. A final written warning will subsequently be disregarded after a period of 18 months subject to any required improvement in performance being achieved.

8.4. Dismissal

Where further breaches of discipline or unsatisfactory performance standards continue after a final written warning, or where the Employee breaches any of the rules set out in the gross misconduct section above, the Company may dismiss the Employee either with or without notice. In cases of gross misconduct, normally no notice will be given or paid by the Company.

Depending on the seriousness of the offence, and at the sole discretion of the Company, the Company may start disciplinary proceedings at any stage of the procedure.

8.5. Appeal

Employees shall have the right to appeal against any disciplinary measure. Appeals should be made to the Executive Assistant, HR in writing within five days of receipt of the letter confirming the disciplinary measure to be applied. An appeal hearing will be set as soon as practical thereafter.

9. Right to be Accompanied

9.1. All Employees are entitled to be accompanied to any formal disciplinary hearing or appeal by a fellow Employee or an appropriate trade union official.

10. Employees with Less than Two Years' Service

10.1. The Company reserves the right not to follow the disciplinary procedure if those Employees have less than two years' service.