



Aquatic Control Engineering

Disciplinary and Grievance Policy & Procedure

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Our disciplinary and grievance policy and procedure is in line with the guidelines of ACAS. Should you wish for impartial advice or any more information, please view their website.

1. Disciplinary and Grievance Aim

The Company's aim is to ensure acceptable individual conduct and professional conduct, and to encourage improvement where necessary. This procedure sets out the action, which will be taken when a situation cannot be resolved informally and when disciplinary rules are breached. The Company will deal with cases of minor misconduct or unsatisfactory performance in an informal manner; usually a 1:1 with their line manager or HR.

The ACAS Code of Practice sets out the requirements of a fair process that will be applicable in most cases; both the ACAS Code of Practice and the Job Description provide the reasonable behaviour for most cases for Aquatic Control Engineering Employees.

Aquatic Control Engineering will deal with all issues fairly, promptly and consistently where Investigations shall be carried out to gather and establish all the facts of the case by the HR representative.

2. Principles

- (i) This policy and procedure is designed to establish the facts quickly and deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- (ii) At every stage you will have the opportunity to state your case and be represented or accompanied at the hearings, if you so wish, in line with the statutory provisions in force at the time (i.e. at present your statutory right is to be accompanied at disciplinary interviews by either a fellow employee or a trade union representative)

You have the right to appeal against any disciplinary penalty to the Managing Director.

3. Disciplinary stages

Stage 1 – File note; personnel report form

In informal cases, a file note shall be issued to you with the report / discussion notes and the action required for further satisfactory outcomes to ensure the issue does not occur again.

Stage 1.1 –Written Warning

If conduct or performance is unsatisfactory you will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 3 months of satisfactory service. You 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.)

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 6 months action at stage 3 will be taken.

Stage 3 – Dismissal or action short of dismissal

If the conduct or performance has failed to improve, you may suffer: demotion, disciplinary transfer, loss of seniority or dismissal.

Statutory Discipline and Dismissal Procedure

If you face dismissal, or action short of dismissal such as loss of pay or demotion, the following procedure will be followed. This involves: -

- Step One – A written note to you 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 if you wish; you will be reminded of your right to be accompanied.

4. Gross Misconduct

If after investigation, it is confirmed that you have committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice. Examples of behaviour which may constitute gross misconduct are as follows: -

Theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying, gross insubordination, if you commit a criminal offence on work premises or in work time, breach of any confidentiality, racial prejudice, sexual harassment, or other prejudice which is prohibited by statute from time to time.

5. Suspension

While the alleged gross misconduct is being investigated you may be suspended, during which time you will be paid your normal pay rate. Any decision to dismiss will be taken by The Company, only after full investigation

6. Appeals

If you wish to appeal against any disciplinary decision, you must do so to your manager or Managing Director, within five working days of the decision being made. The Company will hear the appeal and decide the case as impartially as possible.

The Company reserves the right to publish rules of conduct and or disciplinary procedure from time to time which you will be expected to observe.

7. Grievance Procedure

The following particulars do not form part of your Contract of Employment.

If you have any formal grievance in respect of your employment then we would advise that you attempt to resolve this on an informal basis initially. We would hope that in most cases grievances could be resolved swiftly in this way by offering an Open-Door Policy to all employees of Aquatic Control Engineering.

Although we would make it clear that you should always attempt to resolve the matter internally with Aquatic Control Engineering first, as outlined within the Disciplinary and Grievance Aim, and that a claim in the Employment Tribunal must be a last step after attempting to resolve this matter between ourselves, we have set out the grievance procedure as follows: -

- **Step One** – If the matter is serious and/or you wish to raise this matter formally, you must set out your grievance in writing and send a statement of that or a copy to us.
- **Step Two** – We will then invite you to attend a meeting to discuss the grievance. The meeting must not take place unless you have informed us of the basis of your grievance under step one above and unless we have had a reasonable opportunity to consider our response to your grievance and the information contained within it. You must take all reasonable steps to attend the meeting. After the meeting we will then inform you of our response to your grievance and notify you of your right to appeal against the decision.

It may be that after an investigation, the company may find there is no evidence to carry on with this procedure and in this case this will be explained to you and there will be no further action required.

- **Step Three** - If you do wish to appeal against our decision then you must inform us. If you do inform us of your wish to appeal then we will invite you to attend a further meeting. You must take all reasonable steps to attend that meeting. After that meeting we will inform you of our final decision.

8. Wellbeing

Aquatic Control Engineering understands the employee's wellbeing and mental health is important and this situation can be very stressful.

The Company is mindful of all employees during every stage of the Disciplinary and Grievance procedure and will look out for the wellbeing of all involved whilst also offering support to all involved.

Signed:



Stephen Randall
Managing Director