



# **RETAS LEEDS**

## **Disciplinary Procedure – September 2018**

### **PURPOSE**

The RETAS Disciplinary Procedure will only be used when necessary and as a last resort. Where possible, informal and/or formal good management practice will be used to resolve matters, prior to any disciplinary action being taken.

### **SCOPE**

An employee can discuss any part of this policy with the CEO or Line Manager to help clarify an employee's rights, as well as give guidance and support where needed. Every individual has the right to representation at any point during the disciplinary process.

### **STAGES**

- 1. Verbal Warning**
- 2. First Written Warning**
- 3. Final Written Warning**
- 4. Dismissal**

#### **1. Verbal Warning**

A Verbal Warning is appropriate when it is necessary for the line-manager to take action against an employee for any minor failing or minor misconduct and when previous casual conversations have not been successful in solving the issue.

The organisation should be confident that:

- the employee is clear on what is expected of them in their role
- the employee has received proper training to carry out the role
- nothing is preventing them from carrying out the role properly

#### **2. First Written Warning**

A First Written Warning is appropriate when:

- A Verbal Warning has been given and the misconduct is either repeated or performance has not improved, as previously agreed.
- An offence is of a more serious nature for which a written warning is more appropriate
- The recurrence or accumulation of an offence/offences, if ignored, will lead to more severe disciplinary action.

The Written Warning should be issued no later than the end of the day, following the meeting. One copy is given to the employee and one retained on the employee's personal



file.

### **Examples of Minor Misconduct**

Below are examples of misconduct which may warrant either a Verbal Warning or a First Written Warning. This list is not exhaustive and that on all occasions, a full and proper investigation must take place, prior to the issue of a warning:

- Persistent lateness and poor timekeeping
- Absence from work, including going absent during work, without valid reason, notification or authorisation
- Smoking within unauthorised areas
- Failure to work in accordance with prescribed procedures
- Unreasonable standards of dress or personal hygiene
- Failure to observe Company regulations and procedures

### **3. Final Written Warning**

A Final Written Warning is appropriate when:

- An employee's offence is of a serious nature, falling just short of one justifying dismissal
- An employee persists in the misconduct which previously warranted a lesser warning.

### **4. Dismissal**

Dismissal is appropriate when:

- An employee's behaviour is considered to be Gross Misconduct
- An employee's misconduct has persisted, exhausting all other lines of disciplinary procedure.

### **Examples of Gross Misconduct**

Listed below are examples of misconduct which may be deemed to be Gross Misconduct and may warrant a Final Written Warning or Dismissal. This list is not exhaustive and on all occasions, a full and proper investigation must take place, prior to issuing a Final Warning or Dismissal:

- Theft, including unauthorised possession of RETAS property
- Breaches of RETAS Confidentiality Policy
- Being unfit for duty because of the misuse/consumption of drugs or alcohol
- Refusal to carry out a management instruction which is within the individual's capabilities and which would be seen to be in the interests of RETAS
- Breach of security procedures
- Physical assault, breach of the peace or verbal abuse
- False declaration of qualifications or professional registration



- Failure to observe RETAS rules, regulations or procedures
- Wilful damage of work property
- Deliberate and wilful deceitful behaviour designed to mislead RETAS Board of Trustees
- Failure to apply sound professional judgement
- Bribing, or attempting to bribe, another individual, or personally Taking, or knowingly allowing, another person to take a bribe
- Concealing any serious matter you should reasonably known to have reported
- Cause loss, damage or injury through serious negligence
- Try to obtain employment by lies or deception
- Seriously demean or offend the dignity of others or otherwise abuse your position
- Commit any act of deliberate discrimination, harassment or bullying
- Possess or sell any illegal drugs in the workplace
- Attempt to undertake safety critical jobs when under the influence of either drugs or alcohol
- Consume alcohol in the workplace
- Seriously breach Health & Safety rules
- Obtain RETAS services, property or money by fraud

### **Timescales for the expiry of warnings**

Verbal Warning – 6 months

First Written Warning – 12 months

Final Written Warning – 18 months (or as agreed and recorded at the hearing)

### **REVIEW**

The effectiveness of this policy and associated arrangements will be reviewed annually by the Board of Trustees under the direct supervision of the RETAS Chief of Executive.

Review Date: September 2019