

DADI DISCIPLINARY PROCEDURE

All staff should familiarise themselves with the provisions of this procedure.

This disciplinary procedure provides for warnings to be given for failure to meet the organisation's standards of job performance, conduct (whether during working hours or not) and attendance, or breach of any of the terms and conditions of employment.

The procedure applies to all staff who should familiarise themselves with its provisions.

Principles

If you are subject to disciplinary action:

- 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 at every stage you will be advised of the nature of the complaint, be given the opportunity to state your case, and be represented or accompanied by a fellow staff of your choice
- You will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- You have a right to appeal against any disciplinary action taken against you.
- The company may start the disciplinary procedure at any stage of the process if your alleged conduct warrants such action.

If you request, you have the right to be accompanied at a disciplinary hearing by a fellow staff.

Informal Discussions

Before taking formal disciplinary action, the manager will make every effort to resolve the matter by informal discussions with you. Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

First Warning

If conduct or performance is unsatisfactory, you will be given a written warning. Such warnings will be recorded, but disregarded after twelve 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 if 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)

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 improvements result within one month, action as set out below will be taken.

Dismissal or Action Short of dismissal

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

Lawful Discipline and Dismissal procedure

If any staff faces dismissal - or action short of dismissal such as loss of pay or demotion - the minimum lawful procedure will be followed. This involves:-

Step one: a written note to the staff 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 staff will be reminded of their right to be accompanied

Gross Misconduct

If after investigation, it is confirmed that a staff member has committed an offence of the following nature (the list is not exhaustive), the normal consequences will be dismissal without notice or payment in lieu of notice: theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination.

While the alleged gross misconduct is being investigated, the staff may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

Appeals

If you wish to appeal against any disciplinary decision, you must appeal in writing, within five working days of the decision being taken and communicated to you, to a Director. If possible a senior Manager or Director who was not involved in the original disciplinary action will hear the appeal and decide the case as impartially as possible.

Prolonged Sickness and Ill Health

This procedure is designed to assist all staff who are unable to attend work because of ill health. The procedure will apply to all staff where an unsatisfactory sickness record exists. Points of procedural practice are contained within the performance and Conduct Procedure in this Handbook.

The following are examples of unsatisfactory attendance:-

- Long term absence due to injury or sickness
- Frequent short-term absence due to minor ailments

In appropriate circumstances, the organisation may request that you be examined by an independent medical practitioner and/ or specialist of its choosing. In this event, you agree to cooperate with such a request and to permit the medical practitioner and/ or specialist to discuss with the company the findings of their examination, their prognosis for your future recovery and if appropriate any reasonable adjustments that might be made to your working arrangements to assist your return to work; and/ or interviewed by the organisation (at your home, if necessary) if there is a possibility, in the organisation's opinion, that your absence is wholly or partly due to a personal or

domestic difficulty or there are other circumstances within which the organisation might be able to assist you.

The findings of the medical practitioner and/ or specialist will be taken into account when the organisation considers the kind of action, if any, which it will take in respect of your absence from work.

If appropriate, after such examination/interview, you may be given a first warning by your Manager which will be confirmed to you in writing. This warning will specify a period, the length of which (usually, between 1 and 12 months) will depend upon your particular health or welfare difficulties over which your attendance will be monitored by the organisation and a specified measure of improvement will be required of you; or at the end of which you will be expected to have returned to work.

If appropriate at the end of such period, you may be required to undergo another examination and/ or an interview the results of which the organisation will take into account when it considers the kind of action, if any, which it is appropriate to take.

Such action may include:

- The removal, reduction or suspension of your eligibility for contractual sick pay; and/ or the issue of a final warning by your manager which will be confirmed to you in writing and will specify a further period over which your attendance will be monitored and the level of improvement expected of you during such period. This warning will state that failure to show the necessary improvement within the specified period will result in your dismissal;
- Your dismissal on notice if the organisation concludes, following your medical examination, that you are not likely to be fit to return to work in the foreseeable future having given consideration to the possibility of reduced hours or suitable alternative employment, that in all the circumstances, the needs of its operations render it impracticable to wait further your return to health or fitness.
- Any decision to dismiss you will be given to you in writing.

Appeal

You have the right to appeal against any decision made under this procedure. The procedure relating to appeals is contained within the Performance and Conduct Procedure in this Handbook

Shiela Nakiranda, Director
Date Signed January 2023