

## DISCIPLINARY AND CATEGORIES OF CONDUCT

### **Dismissal**

Contractual dismissal for misconduct will result in the termination of employment with notice or payment in lieu of notice.

Dismissal for gross misconduct offences will result in summary termination without notice, or payment in lieu of notice.

### **Demotion**

In addition to any formal disciplinary action which is deemed appropriate (other than dismissal), we reserve the right to consider your demotion if your conduct or capability has given us reason to believe that you are unsuitable to remain in your present position.

### **Suspension without pay**

In circumstances where we feel we have sufficient grounds to warrant dismissal then mitigating circumstances taken into account may cause us to step back from deciding to dismiss and an alternative to dismissal could well be suspension without pay for a period not exceeding five days.

Solely in such circumstances this disciplinary action could be coupled with, for example, a final written warning but full details will be made known to you either at the conclusion of the disciplinary hearing, or as soon as possible thereafter.

### **Criminal charges**

Where your conduct is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action.

We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where you are unable or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence. A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment.

### **Warnings**

All warnings, including verbal warnings, will be confirmed in writing and will be sent to you and recorded on your file and will contain details of all matters raised during the disciplinary hearing, a summary of all interviews, and your explanations and the final conclusions reached.

Warnings for matters connected with capability or performance will indicate a period of time for improvement and may contain certain recommendations for further training or counselling.

Warnings for conduct may require that there is either immediate improvement and/or that there is no further repetition of the offence.

Any further disciplinary act, which takes place after a previous warning, is likely to result in a more serious penalty being imposed, even if the second offence is of a different nature to the previous one, particularly where there is evidence that the first warning has not been heeded.

All warnings will include confirmation of your right of appeal.

### **Duration of warnings**

Verbal Warnings

A verbal warning will be disregarded after a 6-month period.

### **Written Warnings**

A written warning will be disregarded after a 12-month period.

### **Final Written Warnings**

A final written warning will be disregarded after a 12-month period.

We reserve the right to increase the above periods if the offence committed is particularly serious or if it an offence which might be repeated periodically.

### **Rotunda Policy Review Record**

<b>Reviewed by:</b>	<b>Approval date:</b>	<b>Review frequency:</b>	<b>Review date:</b>	<b>Signed:</b>
Maxine Ennis	11 <sup>th</sup> May 2024	Annual	12 <sup>th</sup> May 2025	