

**DISCIPLINARY AND DISMISSAL PROCEDURE**  
**OF**  
**SUPPLYFORCE LTD**

## **1. PURPOSE AND SCOPE**

1.1 This procedure is designed to help and encourage all employees and temporary workers to achieve and maintain standards of conduct, attendance and job performance.

1.2 The company rules (a copy of which is in the company office) and this procedure apply to all employees and temporary workers. The aim is to ensure consistent and fair treatment for all in the company.

1.3 Supplyforce Ltd will ensure that these procedures are accepted by labour users that the company has business with, and/or that the labour users have their own comprehensive disciplinary and dismissal procedures in regards to temporary workers, where theirs and our procedures are not in breach of the Terms and Conditions of business agreed between the company and the labour user.

## **2. PRINCIPLES**

2.1 Informal action will be considered, where appropriate, to resolve problems.

2.2 No disciplinary action will be taken against an employee or temporary worker until the case has been fully investigated.

2.3 For formal action the employee or the temporary worker will be of the nature of the complaint against him or her and will be given the opportunity to his or her case before any decision is made at a disciplinary meeting.

2.4 Employees and temporary workers will be provided, where appropriate, with written copies of evidence and relevant witness statements in of a disciplinary meeting.

2.5 At all stages of the procedure the employee or the temporary worker will have the right to be accompanied by a trade union representative, or work colleague.

2.6 No employee or temporary worker will be dismissed for a breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.

2.7 An employee or temporary worker will have the right to appeal against any disciplinary action.

2.8 The procedure may be implemented at stage if the employee's or the temporary worker's alleged misconduct warrants this.

## **3. THE PROCEDURE**

3.1 The first stage of formal procedure will normally be either:

3.1.1 an improvement note for performance if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for two months or depending on the labour user's own policy if applicable, but will then be considered spent – subject to achieving and sustaining satisfactory performance, or

3.1.2 a first warning for misconduct if does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee or the temporary worker that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after three months or depending on the labour user's own policy if applicable.

3.2 The second stage of formal procedure will be a final written warning. The following provisions will apply:

3.2.1 If the offence is sufficiently, or if there is further misconduct or a failure to improve performance during the currency of a warning, a final written warning may be given to the employee or the temporary worker.

3.2.2 This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal.

3.2.3 A copy of this written warning will be kept by the supervisor or by the labour user's representative if applicable, but will be disregarded for disciplinary purposes after three months or depending on the labour user's own policy if applicable, subject to achieving and sustaining satisfactory conduct or performance.

3.3 The third stage of formal procedure will be dismissal or some other sanction. The following provisions will apply:

3.3.1 If there is still further misconduct or failure to improve performance the final step in the procedure may be or some other action short of dismissal such as demotion or disciplinary suspension or transfer.

3.3.2 Dismissal decisions can only be taken by the appropriate senior manager or the labour user's representative if applicable, and the employee or the temporary worker will be provided in with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

3.3.3 If some sanction short of dismissal is imposed, the employee or the temporary worker will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be informed of the right of appeal. A copy of the written warning will be kept by the supervisor or the labour user's representative if applicable, but will be disregarded for disciplinary purposes after three months or depending on the labour user's own policy if applicable, subject to achievement of, and sustaining satisfactory conduct or performance.

#### **4. GROSS MISCONDUCT**

The following list offers some examples of offences which may be regarded as gross misconduct. The list is not exhaustive and may, or may not be supplemented by the labour user's own list of gross misconduct examples if applicable:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of the company's or name, or labour user's, company's or name if applicable
- deliberate internet accessing of offensive or obscene material
- serious insubordination
- bringing the company or the labour user into serious financial or other loss
- serious incapacity at work due to the use of alcohol or illegal drugs
- loss, damage or injury caused through negligence
- serious breach of health and safety rules
- serious breach of confidence

- serious breach of the labour user's own disciplinary policy

## **5. APPEAL**

5.1 An employee or temporary worker who wishes to appeal against a disciplinary decision must do so within three working days

5.2 The company directors will hear all appeals and their decision is final.

5.3 At the appeal any disciplinary penalty imposed will be reviewed.

5.4 If the Terms and Conditions of business agreed, between the company and the labour user, allow it, the temporary worker may take advantage of the labour's user own appeal procedures, if applicable.