



## **ADMINISTRATION**

### **DISCIPLINARY POLICY AND PROCEDURE**

#### **Policy Statement**

Contract Solutions aims to ensure that there will be a fair and systematic approach to resolving issues of conduct or capability. Employees have a contractual responsibility to conduct themselves properly and perform satisfactory level and should be given every help and encouragement to do so.

The Managing Director must be notified of any potential or actual disciplinary situation that arises, by the relevant manager, before any action is taken.

#### **Procedure**

##### **1. Informal Counselling**

In many initial situations the Company feels that minor breaches are better dealt with through Informal Counselling Sessions.

- a) A counselling session should be arranged and used to inform the employee of any shortfall between their performance and the required standard and how the Company intends to help them meet the standards expected. A counselling session should also be used to discover why there is a problem and what can be done to rectify the situation e.g. implement a training programme in the situation of sub-standard performance.
- b) A specified period of time (this will differ for each individual employee depending on the circumstances of each situation) for improvement will be stipulated during the session to ensure that the employee has a reasonable amount of time to improve to the required standard. The employee must be monitored regularly during this time to ensure that they are making every effort to resolve the shortfall.
- c) A written record of any counselling session should be kept on the employee's personal file (all records kept regarding the disciplinary, appeal and grievance processes will be kept confidential).

It is anticipated that many situations will be resolved at this stage but where the desired standard of performance or capability is not reached, or there is a more serious case of misconduct the following procedure will apply.

##### **2. Formal Warnings**

- a) A disciplinary hearing will be held before any formal warning is issued. Prior to any hearing it is important that a full investigation is conducted where applicable. A member of management will take statements from all available witnesses and collate any relevant evidence e.g. timesheets / clock cards in the case of poor timekeeping or attendance. Facts should be established promptly before memories fade. It is important to keep a record of this for later reference.
- b) In some cases of a more serious nature, and always in the case of gross misconduct, it may be necessary to suspend the employee pending the outcome of the investigation. The employee must be given written notification of any suspension detailing that it is on full pay, the reason for the suspension and that this is not viewed as disciplinary action.



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- c) Once the investigation is complete the employee should be called in for a disciplinary hearing where they will be given the opportunity to answer the allegations made against them and to put forward their version of events.

In reasonable time before the hearing the employee will be advised of: -

- The nature of the complaint and such evidence as may exist.
  - The right to be accompanied by a colleague, full-time or lay trade union officer or a workplace representative (this is a statutory right).
  - The time, date and location of the hearing.
  - Who will chair the hearing.
- d) At the outset of the hearing the nature of the complaint (i.e. the charge) should be detailed, after which any statements of evidence should be read out and be subject to questioning. The employee must then be given every opportunity to present their case. The employee's companion has the right to address the hearing on behalf of the employee but may not answer questions on his/her behalf. A representative of management will also attend the hearing to keep a record of the proceedings.
- e) If any new evidence comes to light the hearing can be adjourned for a reasonable amount of time whilst further investigations are conducted.
- f) When all of the evidence has been heard the hearing will be adjourned while the manager considers the facts and the employee's general record of employment. He/she will then make a decision.
- g) The hearing will be re-convened and the employee informed of the decision. If it is decided that disciplinary action should be taken, the employee must be told the penalty to be imposed along with his/her right of appeal. This must be followed up in writing within three working days.

The written confirmation will state:

- The penalty imposed and how long it will remain current on the employee's record.
- Details of the misconduct or complaint.
- Details of the necessary action to remedy the situation and the period of review.
- That any further misconduct may result in further disciplinary action being taken.
- The right of appeal, including who the appeal should be addressed to and the timeframe within which an appeal must be lodged.



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The penalties, which may be imposed after a formal disciplinary hearing, are as follows:

- A **Formal Oral Warning** in the case of minor offences.
- A **First Written Warning** for more serious first offences or where further offences occur relevant to an oral warning already on file.
- A **Final Written Warning** for sufficiently serious first offences or where further offences occur relevant to a First Written Warning.
- **Dismissal** where further offences occur relevant to a Final Written Warning.
- **Summary Dismissal** (see section below) where the employee is dismissed without notice or pay in lieu of notice in cases of gross misconduct.

The length of time a warning is kept on an employee's file will be relevant to the severity of the offence. As a guide a Formal Oral Warning will remain on file for three calendar months, a First Written Warning for six calendar months and a Final Written Warning for twelve calendar months.

### **3. Summary Dismissal**

Employees may be summarily dismissed, without notice or pay in lieu of notice, if it is established, after investigation and disciplinary hearing, that there has been an act of gross misconduct.

The procedures in respect of alleged gross misconduct shall follow those set out above in section two.

If following disciplinary hearing it is concluded that gross misconduct has been established, then the employee will normally be summarily dismissed with the proviso that all the circumstances relevant to the nature and cause of the breach will be considered.

Gross misconduct may include:

- Serious acts of insubordination
- Serious breaches of health and safety rules
- Theft
- Fraud and deliberate falsification of records
- Being under the influence of alcohol and controlled drugs during working hours
- Serious negligence which causes unacceptable loss, damage or injury
- Disclosure of confidential information
- Deliberate damage to company property
- Disorderly or indecent conduct, fighting on company premises or threatening physical violence
- Acts of discrimination on the grounds of sex, race, religion, colour or ethnic origin
- Bringing the Company into disrepute



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- Competing with the business of the Company on your own account or in association with others.
- This list is not exhaustive.

**4. Appeals**

In all instances of Formal Disciplinary Action employees must be given the right of appeal to be lodged within five working days from receipt of the disciplinary letter to a manager more senior than the manager who chaired the disciplinary hearing.

**5. 3 Strikes Policy**

- A strike will be issued to an employee who is not carrying out tasks which are required in their job. This includes but is not limited to:
  - Not jobbing on/off on Progress Plus
  - Not completing paperwork correctly
  - Scrapping jobs/making too many scrap components
- A strike can be issued by management or supervisor for each task not completed correctly. This will be recorded on a log which can be accessed by office staff, and by employee if requested.
- A strike will last for 3 months after month of issue.
- 3 strikes will result in a **verbal warning**
- Another 3 strikes will result in a **written warning**
- Continual strikes within said time limit will follow onto a **final written warning**, and then **dismissal**.

**R DUNCAN**  
**Managing Director**

**ISSUED: 30.04.2026**  
**REVIEW: 30.04.2027**