



# Human Resource Policy

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## 1/ Introduction

This Human Resources Policy is provided as a central reference for all managers, supervisors and employees and applies to staff across all locations where the Company carries out its work.

The specific policies that follow promote standards of excellence; terms of employment; employee development; and employee services.

This policy documents the Company's approach to:

- Employing talented individuals;
- Communicating Company standards and expectations;
- Valuing diversity; assuring equal employment opportunity and building a workplace where relationships are based on mutual respect;
- Treating all staff, workers, contractors and customers in a professional, non-discriminatory manner; and
- Providing safe, effective working conditions.

## 2/ Employing staff

### Recruitment and Selection

Effective recruitment and selection is central and crucial to the successful functioning of Citizens 4 Change. It requires us to find people with the necessary sense of vocation, skills, expertise and qualifications to deliver the Company's strategic objectives and the ability to make a positive contribution to the values and aims of the organisation.

#### Advertisements

Vacancies will be advertised on online Jobs Boards and occasionally in the press or technical journal. All vacancies will be shared internally as C4C is keen to facilitate internal promotions wherever possible as development opportunities for it's staff. C4C may, on occasions, decide to restrict advertising to internal candidates only. Furthermore, junior posts will always be advertised internally in the first instance, to provide continuous development of existing members of staff unless the Management team agrees that this is not appropriate due to the specialist skills required for the post involved.

Vacancies, which are restricted to internal candidates only, will be clearly indicated on the advertisement. All internal candidates will be selected for an interview on the same criteria as external candidates.

Employees on maternity leave will receive all advertisements for posts advertised in the Company during their period of maternity leave.

### Application Form

Candidates for all posts will, except on some occasions when a vacancy is restricted to internal recruitment, be asked to complete a standard application form, in order that they can be judged on the basis of comparable information. However, CVs may be requested in certain circumstances.

In applying for posts, all candidates will be provided with a job description, details of the appropriate conditions of service and details about the Company. A brief statement about the appointment procedure will also be provided and, if possible, an indication of the date (or week) when interviews will be held. The job description will include a list of the main duties and responsibilities of the post, together with an outline of the qualifications and experience which candidates are expected to possess.

In drawing up the job description and conditions of service the Company will ensure that no job applicant receives less favorable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work, and that no applicant is placed at a disadvantage unjustifiably by requirements or conditions which have a disproportionately adverse effect on a particular group.

Applicants will be asked to specify whether they have any disabilities, and whether there are any reasonable adjustments needed for them to attend an interview. All applicants with a disability who meet the essential criteria for a job will be interviewed, and considered on their merits

Applicants will be required to supply the names and addresses of two people from whom references can be obtained, one of which should normally be the applicant's current or most recent employer.

Only references for short listed candidates for interview will be obtained. References will normally be sought prior to interview, unless the candidate indicates otherwise.

References should normally be made in writing or email, but those received by telephone will be accepted, provided that a note of the conversation is recorded and placed on file.

For roles which are unregulated, candidates will be asked to declare on the application form whether they have ever been convicted of any criminal offence which cannot be

regarded as 'spent' in terms of the Rehabilitation of Offenders Act 1974 and a Basic Disclosure and Barring check may be sought.

For posts that involve working with children and/or finance work applicants will be asked to reveal details of 'spent' and 'unspent' convictions. Successful candidates for such posts will be required to provide the necessary documentation in order to complete a standard criminal records disclosure. Posts, which require such a disclosure, will be clearly indicated on the conditions of service and appointment procedure.

It is the Company's policy to communicate further with applicants who have not been shortlisted by ensuring they receive an email stating they have been unsuccessful and, if requested by the candidate, offering feedback as to the reasons they have not been shortlisted.

Applicants details will be recorded at the point of receipt. All information relating to the data collected in the equality and diversity recruitment monitoring form will be hidden from all those involved in the recruitment and selection process. The information collected will be solely used for the purposes of equality monitoring.

All completed applications forms are private and confidential and should only be made available to those directly involved in the recruitment and selection process.

All application forms will be collated by the Human Resources Department and supplied to the appointing manager and interview panel for shortlisting purposes.

A shortlist of candidates will be drawn up for interview, based entirely on merit and suitability for the post but taking account of the Company's responsibilities in relation to the Equality legislation. Other than in exceptional circumstances, reasonable notice will be given to ensure that candidates have sufficient time in order to prepare for and make the necessary arrangements to attend the interview.

### Selection Methods

Interviews will be held by a panel consisting of ideally three persons, but a minimum of two persons, gender balanced wherever possible. The interviewers will encourage candidates to be at ease during the interview, in order that they can give a fair and accurate impression of themselves. A representative from Human Resources will be present on all interviews.

The selection and appointment of the Chief Executive will be made by members of the Board.

A set of questions will be agreed by the interview panel in advance and will be developed from the current job description for the post. The panel will seek to develop questions which ask the candidates to give examples of their previous relevant experience

All candidates will be asked the same questions in the same order, and their responses rated between 1-10. The panel will each have a copy of the questions and will score independently of each other during the interview. Time is allocated between interviews for the panel to discuss each candidate and to award a total points score. Additional notes may be made by the panel during the interview, however it should be noted that candidates will have access to all information should they request it.

An interview is a two-way process, and candidates will be given every opportunity to view the premises where they will work and ask questions about the Company, to ensure that they have a full understanding of the post for which they are applying and the way the Company operates.

In addition to interviews, a range of other selection techniques may be used. In such circumstances reasonable notice and relevant information will be given to ensure that candidates have sufficient time and information to prepare.

Candidates attending an interview will be reimbursed any reasonable expenses incurred. For travelling expenses this would normally be at the appropriate second-class rail fare. A candidate who withdraws or refuses an offer of appointment for reasons considered by the Company to be inadequate will not be reimbursed his/her expenses.

All appointments will be made strictly on merit and related to the requirements of the job.

All interviewed candidates will be notified of the outcome of the selection process as soon as possible, either by telephone or email.

All unsuccessful candidates' application forms and interview notes will be retained for one year from the date of interviews taking place. After this date they will be destroyed.

### Relevant Checks

All offers of employment will be made conditional upon satisfactory results from the following:

- Two satisfactory references;
- Confirmation of the right to work in this country
- Disclosure and Barring Service check (or the country equivalent) if appropriate.

### Probationary Period

All appointments into the Company will be made subject to a probationary period of six calendar months. After three months a review meeting will take place between the post holder and their line manager to discuss progress. At the end of the probationary period, and subject to a satisfactory report by the appropriate head of section or line manager,

employees will be notified in writing that they have successfully completed their probationary period. The probationary period can be extended by a further 3 months should the individual's line manager consider this appropriate.

### Recruitment Monitoring

The Company seeks to recruit employees on the basis of their ability and the requirements of the post.

The Company wants to ensure that no applicant receives less favorable treatment than another on the grounds of disability, gender, race, religion or belief, age, sexual orientation, marital status, parental status, caring responsibilities or hours of work.

In order to meet this commitment, all candidates are asked to complete a recruitment monitoring form enclosed with the application form. All completed monitoring forms will be treated as confidential. The form will be separated from the application form on receipt and those involved in the selection process will not have access to it. The information given by candidates will be solely used for the purpose of monitoring the recruitment process.

### Exit Interviews

All employees who leave the employment of the Company voluntarily will have an exit interview with their manager before their last day of employment.

Exit interviews provide the opportunity for departing employees to discuss their reasons for leaving. The information provided is useful in identifying trends, learning and development and evaluating the effectiveness of Company policies and practices.

The appropriate line manager should record all appropriate information, such as recommendations made for change, or significant issues raised in the interview, whilst bearing in mind confidentiality issues.

### Induction

C4C believes that all new employees MUST be given timely induction training. This training is regarded as a vital part of staff recruitment and integration into the working environment. This policy, associated procedures and guidelines define the Company's commitment to ensure that all staff are supported during the period of induction, to the benefit of the employee and Company alike.

It is the aim of the Company to ensure that staff induction is dealt with in an organised and consistent manner, to enable staff to be introduced into a new post and working environment quickly, so that they can contribute effectively as soon as possible. This induction policy, associated procedures and guidelines aim to set out general steps for

managers and staff to follow during the induction process. It is expected that all managers and staff will adhere to this policy.

The Company expects that the implementation of good induction practice by managers will:

- Enable new employees to settle into the Company quickly and become productive and efficient members of staff within a short period of time.
- Ensure that new entrants are highly motivated and that this motivation is reinforced.
- Assist in reducing staff turnover, lateness, absenteeism and poor performance generally.
- Assist in developing a management style where the emphasis is on leadership.
- Ensure that employees operate in a safe working environment.
- Reduce costs associated with repeated recruitment, training and lost production.

The Company Human Resources Department will:

- Issue guidelines to familiarise managers and staff with the induction process.
- Maintain and update the Induction Policy.
- Provide a checklist for managers and staff to follow during the induction period.
- Ensure there is effective monitoring of the induction process particularly in the first three months.
- Deal with any problems promptly providing an efficient service for both managers and staff.
- Review all policy, procedure and guideline documents on a regular basis.
- Provide relevant formal training courses necessary to assist the induction process.

### Induction checklist

This is a checklist of information for Induction which managers should use with new staff as part of their induction programme within the first few days, and certainly within the first two weeks of employment. Health and Safety items should be identified immediately. The new employee should be asked to tick each subject as he/she has been informed about it, and sign the end of the form. The manager then sends the form to Head Office for inclusion in the employee's personnel file.

Items to cover with each new employee:

- Department function
- Introduction to colleagues
- New entrant's own job
- Supervision
- General layout - entrances and exits
- Telephone & internet & email set-up



- Conditions of Employment
  - Information on hours of work, including duty rotas, shift systems "on-call" breaks
  - Time recording, flexi-time
  - Bonus scheme, allowances
  - Probationary periods of employment
  - Company Pension scheme and eligibility
  - Reporting in when sick including when on leave
  - Arrangements for requesting leave: annual leave, unpaid leave, compassionate leave
- Health and Safety, Security, Fire
  - Health and safety information relevant to the department
  - Location of fire-fighting equipment
  - Accident reporting
  - Loss of personal effects
  - Arrangement for keys, passes, ID Badges etc.
- Conduct
  - Personal presentation
  - Disciplinary procedures
  - Courtesy to the customer and the public
  - Confidentiality
  - Acceptance of gifts
  - Statements to the Press / use of Social Media
  - Standards of Business Conduct
- Education, Training, Promotion
  - Learning opportunities
  - Means of advancement, promotion opportunities
  - Employee appraisal, review systems

## Standards of Business Conduct

C4C expects its staff (including temporary, agency, interim, contractor or consultant staff) to be scrupulously impartial and honest in all affairs relating to the Company and their job within it. All staff also bear a responsibility as employees to act as ambassadors for the Company in terms of their general conduct both within and outside the organisation. This policy outlines the responsibilities of staff working for the Company.

The duties of an employee are embodied in Common Law and built on by Statute.

Under Common Law the duties of an employee are as follows:

- To be ready and willing to work;

- To offer their services personally: for example must not subcontract the work for which they are employed;
- To take reasonable care in the exercise of that service, including the duty to be competent at work and to take care of the Company's property;
- To not wilfully disrupt the Company's business;
- To obey reasonable orders as to the time, place, nature and method of service;
- To work only for the Company in the Company's time;
- To disclose information to the Company relevant to the Company's business: for example that they might know or discover;
- To hold solely for the Company the benefit of any invention relevant to the business on which the Company is engaged;
- To respect the Company's trade secrets;
- To be of good faith and do nothing to destroy the trust and confidence necessary for employment;
- To account for all benefits – monetary or in kind - received in the course of employment;
- To indemnify the employer for loss caused by the employee.

## Standard of Conduct Required by the Company

### Transaction of Private Business

Employees having official dealings with contractors and other suppliers of goods or services must avoid transacting any kind of private business with them by any means other than the Company's normal commercial channels. No personal favours or transactions should be sought or accepted.

### Visits to Conferences, Demonstrations etc

The Company intends that when it is necessary for employees to visit conferences, demonstrations and similar occasions, it should bear the travelling and subsistence expenses itself unless otherwise approved by a line manager

### Attendance at Luncheons, Receptions etc

Where it is evident that the work of the Company will be facilitated, invitations to attend receptions, luncheons may be accepted under the following rules:

- No employee may accept an invitation without first obtaining the approval of their line manager;
- In exceptional circumstances, where it is not possible to seek prior approval, the facts should be reported immediately afterwards;

- If addressed personally, such an invitation may not be transferred to another employee, except with the consent and approval of a senior manager as above and with the concurrence of the party issuing the invitation;
- Invitations involving attendance outside normal working hours may be accepted only on the authority of the Manager;
- As a general rule, any officer who has any doubts about the wisdom of accepting any hospitality should decline the offer.

The important difference between, for example, attendance in an official capacity at a function organised by the Company and the acceptance of hospitality from a private individual or firm should be recognised.

### Confidentiality

At all times confidentiality must be maintained. No information can be released to unauthorised persons or organisations. The Chief Executive / Business Owner or other Senior Managers of the Company will inform employees of those authorised to receive information.

If doubt exists as to the validity of an organisation or individuals to receive information, this must be checked with a Senior Manager.

### Personal Relationships

If a personal relationship between two employees develops within the working environment, the onus is on the employee concerned to bring this to the attention of his or her manager to confirm that there is no conflict of interest, nor will a conflict of interest arise. The Company reserves the right to move one of the employees concerned if it deems it necessary to do so.

### Outside Interests and Employment

Outside interests include directorships, ownership, part ownership or material shareholdings in companies, business or consultancies should be declared to the individual's line manager as should the interests of a spouse / partner or close relative.

### Bribery and Corruption

The Company has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

If you bribe (or attempt to bribe) another person, intending either to obtain or retain business for the company, or to obtain or retain an advantage in the conduct of the company's business this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances you will be subject to formal investigation under the Company's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

### General Conduct

Employees should at all times conduct themselves in such a way as to enhance the reputation of the Company.

C4C will support employees who become aware of and are willing to report breaches of this policy or who genuinely believe that a breach is occurring, has occurred or is likely to occur within the business. Employees should raise the issue internally with their manager or supervisor or in accordance with the Company's Policy on Disclosing Information ('Whistleblowing').

These standards of conduct are intended to underpin and clarify standards required by the Company of its employees and form a fundamental part of the employment contract. Staff who fail to comply with the guidance detailed in this Policy could be subject, following full investigation, to disciplinary action up to and including dismissal. If through their actions or omissions staff are found to be in contravention of either this Policy or, indeed, their legal responsibilities then the Company reserves the right to take legal action if it deems it to be necessary to do so.

## 3/ Managing employee performance

### Performance Appraisal

#### Appraisal Policy

C4C are committed to supporting every employee to reach their potential and achieve their personal goals, which in turn will assist the organisation to achieve its objectives.

The performance appraisal policy supports the performance appraisal scheme. The scheme is a formal process centred on an annual meeting of each employee and their line manager to discuss his/her work. The purpose of the meeting is to review the previous year's achievements and to set objectives for the following year. These should align individual employees' goals and objectives with organisational goals and objectives.

## Core Principles of the Appraisal Policy

1. The appraisal process aims to improve the effectiveness of the organisation by contributing to achieving a well-motivated and competent workforce.
2. Appraisal is an ongoing process with an annual formal meeting to review progress.
3. The appraisal discussion is a two way communication exercise to ensure that both the needs of the individual, and of the organisation are being met, and will be met in the next year.
4. The appraisal discussion will review the previous year's achievement, and will set an agreed Personal Development Plan for the coming year for each member of staff.
5. All directly employed employees who have completed their probationary period are required to participate in the appraisal process.
6. The appraisal process will be used to identify the individual's development needs and support mutually agreed professional development goals.
7. The appraisal process will provide management with valuable data to assist succession planning.
8. The appraisal process will be a fair and equitable process in line with our Equality Policy.

## Performance Appraisal Implementation

Performance appraisal discussions will be held over a designated 4-week period on an annual basis. They will be arranged by the Chief Executive Officer who is responsible for the appraisal process, and he/she shall ensure that appraisers and appraisees are adequately equipped and trained to undertake performance appraisal.

The discussion will be held in private. Information shared during the appraisal will be shared only with senior management. The exception is training needs, that will be provided to HR / Company administration for action. Confidentiality of appraisal will be respected.

All appraisal documents should be issued to both parties prior to the discussion, in order to allow time for both parties to reflect and prepare. These will provide a framework and focus for the discussion.

A time and venue for the discussion will be advised at least one week before the meeting takes place.

## The Appraisal Discussion

The appraisal discussion will allow an opportunity for both the appraisee, and the appraiser to reflect and comment on the previous year's achievements. It will praise achievement and encourage the appraisee in his/her role.

The appraiser is accountable for giving the employee constructive, timely and honest appraisals of their performance, which should take into account both the goals of the organisation and of the individual.

The discussion should be a positive dialogue, and will focus on assisting the appraisee to acquire the relevant knowledge, skills and competencies to perform his/her current role to the best of his/her abilities.

The appropriate forms will be completed and signed by both parties. The appraisee will be given the opportunity to note any comments that he/she does not agree with and complete a self-assessment.

The appraisee and line manager should agree on a Personal Development plan for the appraisee for the following year. This will reflect the appraisee's aspirations and the organisation's requirements, and should align personal and organisational goals. The organisation and the line manager will support the individual to achieve these goals during the forthcoming year.

Any training needs, future training requirements, planned qualifications, development opportunities and career planning should be discussed in the light of the Personal Development Plan.

## Disciplinary Procedure

The Company Disciplinary Procedure will be used only when necessary and as a last resort. Where possible, informal and/or formal counselling or other good management practice will be used to resolve matters prior to any disciplinary action being taken. The procedure is intended to be positive rather than punitive but takes cognisance of the fact that sanctions may have to be applied in some circumstances.

An employee can discuss any part of this policy with their Line Manager. They can help clarify an employees rights as well as give guidance and support where it may be needed. Every individual has the right to representation at any point during the disciplinary process.

## Suspension

Suspension is not disciplinary action. The purpose of suspension is manifold and can be used when it is necessary to remove a member of staff from the workplace pending an

investigation for example, to allow time for a 'cooling down period' for both parties, for their own or others protection, to prevent them influencing or being influenced by others or to prevent possible interference with evidence. Only the Manager in charge of that individual, at that time or their superior, has the authority to suspend an individual.

An employee suspended from duty will receive written confirmation within three days of:

- The reason for the suspension.
- The date and time from which the suspension will operate.
- The timescale of the ongoing investigation.
- The right of appeal to the immediate manager of the suspending manager should the suspension last more than 7 days.

### Counselling

Counselling is an attempt to correct a situation and prevent it from getting worse without having to use the disciplinary procedure. Where improvement is required, the employee must be given clear guidelines as to:

- What is expected in terms of improving shortcomings in conduct or performance.
- The time scales for improvement.
- When this will be reviewed.
- The employee must also be told, where appropriate, that failure to improve may result in formal disciplinary action.

A record of the counselling should be given to the employee and a copy retained in their personnel file. It is imperative that any counselling should be followed up and improvements recognised and recorded. Once the counselling objectives have been met, any record of the counselling will be removed from the employees file.

If during counselling it becomes clear that the matter is more serious, then the discussion should be adjourned, and pursued under the formal disciplinary procedure.

### Procedure for Formal Investigation

1. Formal investigations should be carried out by the most appropriate manager who is not directly involved with the incident being investigated. This manager may involve others to assist with the investigation process. All the relevant facts should be gathered promptly as soon as is practicable after the incident. Statements should be taken from witnesses at the earliest opportunity. Any physical evidence should be preserved and/or photographed if reasonable to do so.
2. A report should be prepared which outlines the facts of the case. This should be submitted to the appropriate Chief Executive Officer who will decide whether

further action is required. Where appropriate, this report may be made available to the individual and their representative.

3. In most circumstances where misconduct or serious misconduct is suspected, it will be appropriate to set up an investigatory hearing. This would be chaired by the appropriate Senior Manager, who would be accompanied by another manager. The investigating manager would be asked to present his/her findings in the presence of the employee who has been investigated. Witnesses should be called at this stage, and the employee (or their representative) allowed to question these witnesses. The employee has a right of representation at this hearing.
4. Following the full presentation of the facts, and the opportunity afforded to the employee to state his side of the case, the hearing should be adjourned, and everyone would leave the room except the senior manager hearing the case, and the other manager. They would discuss the case and decide which of the following option was appropriate:
  - a. Take no further action against the employee
  - b. Recommend counselling for the employee
  - c. Proceed to a disciplinary hearing
5. All parties should be brought back, and informed as to which option has been chosen. Should the decision be taken to proceed to a disciplinary hearing, then this may follow on immediately from the investigatory hearing if the following criteria have been met:
  - a. The employee has been informed by letter that the investigation may turn into a disciplinary hearing, and that he has the right of representation.
  - b. S/he has been told in advance what the nature of the complaint is, and had time to consult with a representative.
  - c. All the facts have been produced at the investigatory hearing, and the manager is in a position to decide on disciplinary action.
  - d. The manager should inform the employee and their representative that the hearing would now become a formal disciplinary hearing, and invite them to say anything further in relation to the case.
6. It may be appropriate at this point to adjourn proceedings, whilst necessary arrangements are made for a representative to attend the hearing at the request of the employee.
7. Should anyone who is subject to disciplinary action resign during the course of it, the action will cease unless there are extenuating circumstances which require it's continuance. The subject of the discipline may also request that the disciplinary action continue.

## Warnings

### Examples of Minor Misconduct



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

- Safeguarding concerns.
- Persistent lateness and poor time-keeping.
- 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.
- Incompetence.
- Unreasonable standards of dress or personal hygiene.
- Failure to observe Company regulations and procedures.

A Verbal Warning is appropriate when it is necessary for the manager in charge to take action against an employee for any minor failing or minor misconduct.

A First Written Warning is appropriate when:

- A verbal warning has not been heeded 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. This is likely to be the case with a safeguarding concern.
- The recurrence or accumulation of an offence/offences, if left, will lead to more severe disciplinary action.

Examples of Gross – Misconduct

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

- Putting a child or vulnerable adult at risk of harm.
- Theft, including unauthorised possession of Company property.
- Breaches of confidentiality, prejudicial to the interest of the Company,
- Being unfit for duty because of the misuse/consumption of drugs or alcohol.
- Refusal to carry out a management instruction which is within the individuals capabilities and which would be seen to be in the interests of the Company.
- Breach of confidentiality / security procedures.
- Physical assault, breach of the peace or verbal abuse.
- False declaration of qualifications or professional registration.
- Failure to observe Company rules, regulations or procedures.
- Wilful damage of property at work.

- Incompetence or failure to apply sound professional judgement.

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.

Downgrading or Transfer to another Post is appropriate when:

- Previous attempts, via the disciplinary procedure, to rectify a problem have failed and this is a final attempt to solve a problem without having to dismiss an employee.
- An employee is considered by the Manager to be incompetent or otherwise unfit to fulfil the duties for which he is employed but where dismissal is not thought to be appropriate.

Dismissal is appropriate when

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

Time Scales for the expiry of Warnings

Warnings issued to employees shall be deemed to have expired after the following periods of time.

- Verbal Warnings: 6 months
- First Written Warnings: 12 months
- Final Written Warnings: 18 months (or as agreed and recorded at the hearing)

These time scales remain provided that during that period, no further warnings have been issued in respect of the employee's conduct.

### Letter of Warning

All Warnings must contain the following information

- The letter must be issued within 7 days of the date of the disciplinary hearing.
- The nature of the offence and where appropriate, that if further misconduct occurs, more severe disciplinary action will be taken.
- The period of time given to the employee for improvement.

- The employees right to appeal to the manager directly above that of the one issuing the warning.
- A copy of the warning and any supporting documentation must be attached to the individuals personnel file.
- The employee must also receive a copy of the warning which in the case of any written warning will be sent to their home address by recorded delivery if not handed to them in person.
- In the case of a final written warning, reference must be made to the fact that any further misconduct will lead to dismissal, that the employee has the right of appeal, and to whom they can make that appeal.

The letter confirming dismissal will contain the following information:

- The reason for dismissal and any administrative matter arising from the termination of their employment.
- The employees right of appeal and to whom they should make that appeal

### Appeals

Every employee has the right to appeal against the outcome of a disciplinary hearing. The basis of an appeal should normally relate to one of the following areas:

- That the Company's' Procedure had not been followed correctly.
- That the resulting disciplinary action was inappropriate.
- That the need for disciplinary action was not warranted.
- That new information regarding disciplinary action has arisen.

An appeal should be put in writing to the HR Department. The letter of appeal may be constructed by the employee or their representative. The letter should contain the grounds for appeal and should be lodged within 10 days of receipt of the warning / dismissal letter.

An appeal will be arranged within 20 working days of receipt of the appeal letter.

In the case of verbal and first warnings, the appeal will be heard by the manager next in line to the one who issued the warning.

The hearing and determining of appeals against final warnings and dismissal will be heard by the Chief Executive Officer / Business Owner. They may also involve another senior manager not previously involved with the case.

When dealing with an appeal against a Final Warning or Dismissal written statements of case may be submitted no later than 2 days prior to the date of Appeal Hearing. No additional written evidence will be admitted by the Appeal Committee on the date of the Hearing.

Witnesses may be required by either party at an appeal hearing, dependent upon the circumstances and nature of the case. However, there is no specific obligation on either party to produce a witness. Either party must give 5 days prior notice that they intend to call specific persons involved or associated with the case under consideration.

It is the responsibility of the management representative and for the appellant to each arrange for the availability and attendance of any witness they wish to call.

## Capability Procedure

C4C places great importance on maintaining levels of performance at an acceptable standard and the capability procedure provides a fair and objective process to enable managers to ensure that those standards are met in every aspect of the company's operations.

For the purpose of this Capability Procedure, capability is defined as:

*"Where a member of staff is failing in a significant or persistent way to carry out their responsibilities or duties in a satisfactory manner, either due to a lack of ability, inadequate training or lack of experience. Such failings will be identified by use of the following procedures and steps taken to improve performance. Where such steps prove unsuccessful the member of staff may have their employment terminated on the grounds of incapacity".*

The procedures set out in this document aim to ensure that there is:

1. A means of monitoring performance and establishing performance criteria.
2. A degree of consistency in how staff with widely differing responsibilities and duties are given opportunities to attain satisfactory levels of performance.
3. Assistance in identifying the most appropriate form(s) of support and providing that support.
4. If a member of staff fails to overcome their difficulties, any consequent action will be based on:
  - a. Adequate evidence that the member of staff is incapable of performing their duties satisfactorily.
  - b. A fair procedure.
  - c. The fact that the member of staff was given all reasonable assistance to overcome such failings.

## Procedure

### Stage 1 - Informal Procedure

Where an employee of the Company exhibits an inability to perform their duties satisfactorily, the Company will attempt to resolve the matter informally via a meeting between the Line Manager and the member of staff. The nature and date of the meeting will be recorded and a letter sent to the member of staff indicating the nature of their unsatisfactory performance and how such performance can be improved to the satisfaction of the Line Manager. The member of staff should be informed that they may be accompanied at any meetings by a trade union representative or work colleague.

At this meeting, the line manager will agree performance standards with the member of staff, and a time period (normally three months) over which improvement will be expected. They will also agree how the individual's performance will be monitored.

If the individual's performance improves adequately over the timescale, then the process will terminate at this stage. If performance remains unsatisfactory, then the formal procedure will be invoked by the Line Manager as set out in stage 2.

### Stage 2 - Formal Procedure - Information Collection

The Senior Manager concerned may call on the support of an external advisor or another member of the Management Team, to undertake collecting the necessary information. They would be expected to interview the member of staff concerned and the staff members' supervisor, as well as any other appropriate individuals. The member of staff should be informed that they may be accompanied at any meetings by a colleague.

A written report based on evidence gained e.g. by interviews and observation of performance will be prepared by the Manager. The report should be precise and specific in the observations and comments it makes and shall contain clear information on:

1. Areas where the member of staff is failing to perform adequately.
2. Actions already taken by management to address these failings and whether these actions were adequate - i.e. were clear performance standards set and monitored.
3. Whether the member of staff acknowledges a problem and shows a willingness to improve.
4. The impact of the individual's failings on colleagues and work output.
5. Any other mitigating factors.

The report should be given to the member of staff concerned and to their supervisor. Both may record in writing any comments on the observations contained within the report.

The Senior Manager will consider the report, and may opt to take one of the following options:

- No further action.
- Instruct the supervisor to set reasonable performance standards for the individual and monitor these for a set period of time. (This option should be chosen if this has not previously been carried out adequately and at least three months given to improve).
- Convene a formal capability hearing to consider the matter further.

### Stage 3 - Capability Hearing

The Senior Manager will write to the member of staff informing them of the date of the hearing, attaching any relevant documentation. The letter shall contain

- The performance deficits in sufficient detail to ensure that the member of staff fully comprehends their nature, extent and seriousness.
- The time, date and venue of the interview.
- The person who will conduct the interview, usually the Senior Manager.
- A statement that all employees have the right to be accompanied by a work colleague at any interview or hearing held under the provision of these procedures.
- At least 10 days notice of the hearing.

At the hearing, the member of staff will be given the opportunity to put forward a defence, to bring witnesses in support of their defence, to present mitigating circumstances and to make a full statement. A written copy of the procedure to be adhered to during the hearing should be made available to the member of staff before the hearing takes place.

If the allegation is found to be justified, then a decision on the action to be taken must be made. Depending on the nature, frequency and seriousness of the allegation(s) it is expected that at this stage a Warning will be given and this will be confirmed in writing.

A letter should be sent to the member of staff confirming the decision and the reason(s) why it was made. The letter will also indicate that the member of staff's progress will continue to be monitored and how this will be carried out. A time scale for performance to improve and a review date(s) will be specified.

If the failings are found to be not sufficiently serious to warrant a formal warning or where there are mitigating circumstances, then monitoring should be discontinued subject to a clear indication to the member of staff that it may be reintroduced if the problem(s) reappear.

## Stage 4 - Second Capability Hearing

If poor performance continues, the process set out in stage 3 should be repeated. The time scale for improvement will depend on the nature of the duties and responsibilities of the employee concerned and the seriousness of the complaint(s).

If the conclusion of the second hearing is that performance has not sufficiently improved and that there is still evidence of incapability despite support and prior warnings, a final warning should be issued.

The letter confirming the decision as well as covering the points made at Stage 3, should clearly state that if an improvement is not forthcoming, the Company will convene a final meeting at which it will consider terminating the contract of the member of staff involved on the grounds of capability.

## Stage 5 - Third Capability Hearing

The Senior Manager will conduct the third hearing at which if previous advice, training and warnings have not had the desired effect, he/she will terminate the contract of the employee concerned. The procedures outlined in Stage 3 will be followed.

## Appeals

An appeal against any decision to terminate the employee's contract of employment on the grounds of capability may be made in writing to the HR Department / Head Office within 14 days of the decision. The employee's appeal will be heard by the appropriate Senior Manager. Decisions made on appeal shall be final.

## Long-Term/Persistent Illness

Where any shortfall in expected performance arises from long term or persistent illness the Company shall refer to the Management of Absence policy.

## 4/ Dealing with employee concerns

### Grievance Procedure

The grievance procedure is intended as the tool by which a member of staff may formally have a grievance, regarding any condition of their employment, heard by the management of the Company. The aggrieved employee has the right to representation by a work colleague

In the event of a member of staff wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved as close to the individual and their line manager as possible. It is understood however that this is not always possible and that a formal procedure is required to ensure the swift and fair resolution of matters which aggrieve the Company's employees.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if it is agreed upon by both parties.

This procedure is not intended to deal with:

1. Dismissal or disciplinary matters which are dealt with in a separate procedure.
2. Disputes, which are of a collective nature and which are dealt with in a separate procedure.

### Stage 1

An employee who has a grievance, should raise the matter with his supervisor immediately either verbally or in writing. If the matter itself concerns the employee's immediate manager, then the grievance should be taken to their superior.

If the manager is unable to resolve the matter at that time then a formal written grievance form should be submitted. The manager should then respond within 2 working days to the grievance unless an extended period of time is agreed upon by both parties. The response will give a full written explanation of the manager's decision and who to appeal to if still aggrieved.

### Stage 2

In most instances the Company would expect the managers' decision to be final and for the matter to come to a close. However, in some circumstances the employee may remain aggrieved and can appeal against the decision of the manager concerned.

The appeal, to the manager next in line, must be made within ten working days of the original response to the employee's grievance. The appeal must be in writing and contain the original formal Grievance form. This manager will attempt to resolve the grievance. A formal response and full explanation will be given in writing, as will the name of the person to whom they can appeal if still aggrieved, within 7 days.

Where the 'next in line' manager at this stage is the Manager with responsibility for the employees function, then the grievance should immediately progress to stage 3.



### Stage 3

If the employee remains aggrieved there will be a final level of appeal to the Manager responsible for the employees function. This appeal must be made in writing (see appendix 3), enclosing a copy of the original Formal Grievance form, to the Manager within ten working days of receipt of the Stage 2 response. This Manager will arrange and hear the appeal with another management representative and respond formally with a full explanation within 20 working days.

Where a grievance is raised against a Manager then the grievance will be heard by the Chief Executive / Business Owner.

There is no further right of appeal. Where however both parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

### Using mediation

An independent third party or mediator can sometimes help resolve grievance issues before it is necessary to invoke the formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved in the mediation what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

C4C will seek to identify employees who have been trained and accredited by an external mediation service who can act as internal mediators in addition to their day jobs. When this is not appropriate the Company will source an external mediation provider. Mediators will work individually or in pairs as co-mediators.

There are no hard-and-fast rules for when mediation is appropriate but it can be used:

- For conflict involving colleagues of a similar job or grade, or between a line manager and their staff.
- At any stage in the conflict as long as any ongoing formal procedures are put in abeyance.
- To rebuild relationships after a formal dispute has been resolved.
- To address a range of issues, including relationship breakdown, personality clashes, communication problems and bullying and harassment.

Mediation is not part of C4Cs formal grievance procedure. However, if both parties agree to mediation, then the grievance procedure can be suspended in an attempt to resolve the

grievance through that route. If mediation is not successful, then the grievance procedure can be re-commenced.

## Prevention of Bullying and Harassment at Work

C4C is committed to encouraging and maintaining good employee relations within a working environment which fosters team working and encourages employees to give of their best. Everyone in the Company and those who have dealings with the Company has a responsibility to maintain good working relationships and not use words or deeds that may harm the wellbeing of others. In addition to the obligations placed upon both employers and employees by the Equality and Human Rights legislation, everyone has the right to be treated with consideration, fairness, dignity and respect. This contributes to a workplace environment in which individuals feel safe and can work effectively competently and confidently.

The Company's policy applies to all staff working within the organisation and to all employees working off the premises. It extends to include non-permanent workers such as secondees, contractors, agency, temporary staff, consultants and any other workers. The policy, in addition, covers the behaviour of staff outside working hours which may impact upon work or working relationships.

The Company has a "zero tolerance" policy and will investigate vigorously any allegations of bullying or harassment, regardless of whether the matter has been raised formally or informally.

### Key Principles

The Company will provide and sustain a safe working environment in which everyone is treated fairly and with respect. Those working or dealing with the Company must not encounter harassment, intimidation or victimisation on the basis of gender, race, colour, ethnic or national origin, sexual orientation, marital status, religion or belief, age, trade union membership, disability, offending background or any other personal characteristic.

Everyone carries a personal responsibility for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy. In addition, each person has a responsibility to report any instance of bullying or harassment which they witness or which comes to their attention. Employees have a responsibility to act as role models, proactively addressing instances of bullying and harassment. Managers should also make themselves aware of their responsibility.

Harassment may be defined as any conduct which is

- Unwanted by the recipient,
- Is considered objectionable,

- Causes humiliation, offence, distress or other detrimental effect.

Harassment may be an isolated occurrence or repetitive. It may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
- Non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive or threatening.
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues.
- Humiliating an individual in front of colleagues.
- Picking on one person when there is a common problem.
- Shouting at an individual to get things done.
- Consistently undermining someone and their ability to do the job.
- Setting unrealistic targets or excessive workloads.
- “Cyber bullying” i.e. bullying via email.
- Setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.

Harassment and Bullying may be summarised as any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that is the determinant as to whether harassment or bullying has occurred.

Any employee who wishes to make a complaint of harassment or bullying is encouraged to first discuss matters informally with their supervisor or with Human Resources, provided that they feel able to do so. Should the issues not be resolved at this stage, or the employee feels unable to raise the issue informally, then a formal resolution should be sought.

When a complaint of Harassment or Bullying is brought to the attention of a manager at any level, whether informally or formally, prompt action must be taken to investigate the matter. Corrective action must be taken where appropriate and this may require an investigation under the Company’s Disciplinary Policy and Procedure.

If it is considered that one of the parties concerned in a harassment or bullying case should be moved from their current workplace, then as a matter of principle the Company will

normally remove the alleged perpetrator rather than the complainant. However, the final decision on who should be moved should reflect the particular circumstances of the case and advice from Human Resources to the relevant manager. It should be noted and explained to those concerned that the moving of either party is not an implication of guilt or culpability and no detriment to either party will be construed as a consequence.

All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.

No employee will be victimised or suffer detriment for making a complaint of harassment or bullying and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers are required to act on any complaint of harassment or bullying. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action.

All complaints of harassment or bullying whether raised formally or informally must be notified by the recipient of the complaint to Human Resources for recording in accordance with the requirements of the Equality and Human Rights legislation. This legislation requires such records to be maintained and the incidence of bullying and harassment to be monitored.

## Procedure

### 1. Informal Resolution

Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease.

Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally by making it clear to the alleged harasser that his/her actions are unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.

If the complainant feels unable to approach the alleged harasser, a work colleague could be asked to speak to the alleged harasser on the complainant's behalf. A note should be made of the action taken and the matter notified to Human Resources.

An individual who is made aware that their behaviour is unacceptable should

- Listen carefully to the complaints and the particular concerns raised;
- Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
- Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
- Agree the aspects of behaviour that will change;
- Review their general conduct/behaviour at work and with workplace colleagues.

## 2. Formal Resolution

If the alleged harassment continues, the complainant feels unable or unwilling to deal with the matter informally, or the allegation is so serious as to prevent use of the informal procedure, a complaint should then be raised formally with the employer.

Normally, the employer's representative will be the employee's supervisor. However, if the employee feels unable to do this they should submit the complaint in writing to a more senior manager. In exceptional circumstances, allegations may be raised directly with the relevant Manager, who will with other appropriate senior managers, arrange for the matter to be progressed in accordance with this policy and procedure.

When dealing with a complaint of harassment under the Formal Resolution Procedure, the relevant manager should:

- Take full details of the incidents in writing from the complainant and their representative (if appropriate).
- Take full details from any witnesses/other complainants who come forward and may have witnessed the alleged behaviour.
- Inform the alleged harasser of the complaints against him/her, advise the alleged harasser to seek representation and invite him/her to a meeting in order that they can comment on the allegations against them.
- Keep all parties informed of expected timescales.
- Inform all parties in writing of the outcome and any action that may be required.

If the allegations and the working situation warrant it, the alleged harasser may be suspended during the investigation (in accordance with established disciplinary procedure).

Should there be a case to answer against the alleged harasser, the manager who has dealt with the complaint will communicate this to an impartial manager who will conduct a separate disciplinary investigation. The normal disciplinary procedure for misconduct/gross misconduct should then be followed. However, the following points should be taken into account:-

- The complainant will normally be required to attend the disciplinary hearing as a witness, unless there are exceptional circumstances which prevent them from doing so;
- If the complainant is required to attend, they are entitled to be accompanied by either a work colleague and have any questions directed through that person.

If the complaint is upheld at the disciplinary stage, there are a number of possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include, but are not limited to

- Dismissal
- A formal warning
- A recommendation of redeployment of the harasser, either on a temporary or a permanent basis. This will not be on any less favourable terms and conditions of employment.
- Implementation of other sanctions as detailed in the Company's Disciplinary Policy.
- Making arrangements for both parties to work as separately as possible within the same workplace.

In addition to the above, the harasser may be required to attend any training courses as deemed necessary by the Company.

It should also be noted that the complainant may wish to move Department/section depending upon the nature of the complaint and the people involved. Appropriate consideration should be given to this request and the outcome with reasons provided to the complainant.

With any allegation, the need for a thorough and objective investigation is paramount. Consequently, if through the course of the investigation evidence demonstrates that the allegation has been made frivolously, maliciously, or for personal gain, then the individual making the complaint will be subject to Disciplinary proceedings as outlined in the Company's Disciplinary Policy.

### Appeals

Appeals against decisions taken under the Bullying and Harassment at Work Policy and Procedure shall be dealt with as follows:

- Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.
- Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

## Records

Where the complaint is informal and resolved at this stage, no record will be kept on personal files.

Following formal investigation, where the complaint is not substantiated, no records will be retained.

Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months.

Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.

## 5/ Managing risk

Risk is intentionally and systematically managed on an ongoing basis. Operational risks are a key concern. A quarterly survey is sent to all C4C team members asking them to identify the top three risks they envisage the Company facing; the risk category; likelihood and impact. These are then collated in a quarterly team meeting where we collectively reflect on the risk survey results and agree mitigation measures. The results are recorded in a risk register and dashboard.

## 6/ Policy Review

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Company Chief Executive. It may be necessary to change these policies from time to time to reflect changes in the workforce, employment trends, economic conditions and UK and European legislation.