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## **Disciplinary Policy and Procedure**

### **1. Scope**

This policy applies to all staff employed by TACTRAN (Tayside and Central Scotland Transport Partnership). It is designed to ensure that employees are dealt with fairly and consistently in disciplinary and other related matters affecting their work with TACTRAN.

### **2. Aim of the document**

The aim of TACTRAN is to encourage improvement in individual conduct and performance.

### **3. General Principles**

No disciplinary action will be taken against an employee until the matter has been fully investigated. The investigation will be completed as soon as is practicable in the circumstances.

An employee will normally receive as much advance written notice of a disciplinary meeting as is reasonably practicable in the circumstances. This will include any written documentation that will be referred to in the meeting.

In appropriate circumstances TACTRAN reserves the right to suspend an employee while carrying out its investigation, in which case the employee will receive full pay and benefits for the duration of their suspension.

At each stage of the Procedure the employee will be informed of the nature of the complaint against them and shall have an opportunity to state their case before a decision is taken.

Employees must take all reasonable steps to attend disciplinary meetings. If unable to attend they must notify TACTRAN immediately and a further meeting will be arranged within (usually) 5 days of the date of the original meeting.

Employees may be accompanied at disciplinary meetings, if they wish, by a work colleague or a trade union official.

#### **4. Informal Procedure**

Minor faults or concerns will usually be dealt with initially on an informal basis by way of informal counselling or, if circumstances merit, a verbal warning. After establishing the facts TACTRAN may consider that there is no need to resort to the formal Procedure and that it is sufficient to talk the matter over with the employee. A note of any counselling or informal warning will be kept on the employee's personal file.

The purpose of an informal written warning is to provide an opportunity for improvement in the matter to be corrected without the necessity for the Procedure to be instituted.

#### **5. Formal Procedure**

Where a matter is more serious, however, the formal Procedure will be initiated.

##### **5.1 Stage 1 Formal Verbal Warning**

In cases of minor breaches of discipline or misconduct, or where the employee has failed to improve or remedy the problems identified within an informal verbal warning, an employee will be given a formal verbal warning which will refer to the misconduct and of the possible consequences of any repetition or failure to improve within a set time limit. A note of the verbal warning will be entered on the employee's personal file and a copy provided to the employee.

##### **5.2 Stage 2 First Written Warning**

In the event of a more serious breach or further misconduct, the employee will normally be given a first written warning. This will state the reason for the warning and will give a time limit for improvement, including any action required by the employee to remedy the situation. The employee will be informed of the consequences of any failure to improve his or her conduct. A copy of this written warning will also be kept on the employee's personal file.

##### **5.3 Stage 3 Final written warning**

If the offence is very serious or if conduct or performance is still unsatisfactory, a final written warning will be given. It will state the reason for the warning and will give a time limit for improvement, including any action required by the employee to remedy the situation. The warning will make it clear that any recurrence of the offence or other serious misconduct will result in dismissal. A copy of the final written warning will be kept on the employee's personal file.

##### **5.4 Stage 4 Dismissal**

If there is no satisfactory improvement, or if further misconduct occurs, the employee will be dismissed. The employee will be provided with written confirmation of the dismissal and the date on which employment terminated or will terminate.

#### **6. Summary Dismissal**

TACTRAN will only dismiss an employee summarily in the event of gross misconduct, or some other serious breach of the Partnership's rules or of the contract of employment. Examples of gross misconduct (the list is not exhaustive) which would lead to summary dismissal are:

Theft, damage to company property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical assault and gross insubordination, conduct endangering any person or causing serious damage to the business or reputation of the company, gross negligence, breach of professional ethics or good conduct.

Summary dismissal is dismissal without notice. Before deciding upon this course of action TACTRAN will usually undertake an investigation and hold a disciplinary hearing with the employee.

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