

CABLECOM TRAINING LTD DISCIPLINARY PROCESS FOR EMPLOYEES AND LEARNERS

Discipline - Employees

Discipline rules and procedures are necessary for ensuring fairness and order in the treatment of employees. The primary objective is to encourage improvement to meet the required standard of work, performance and conduct with disciplinary action being taken when the required standards are not met.

Stage 1 - Investigation & Interview which may include:

Warnings:

- a. Verbal warning
- b. Written warning
- c. Final written warning

Stage 2 - Action short of dismissal

Stage 3 - Dismissal

Stage 4 - Appeal

If any employee commits an act of gross misconduct summary dismissal can result regardless of the above procedure.

Stage 1 - Investigation and Interview

Following an alleged breach of discipline or failure to meet work or performance standards and prior to the issue of any formal warning or the taking of any disciplinary action the responsible Supervisor/Manager will investigate the matter fully.

A disciplinary interview will be held at which the results of the investigation will be put to the employee. The employee will be given the opportunity to respond to the complaint at this time. The action to be taken will normally be advised to the employee within three working days.

In the event of an allegation of serious misconduct, an employee may be suspended on full pay whilst an investigation is carried out. Such suspension, which does not imply guilt or blame, will be for as short a period as possible.

Verbal Warnings

Minor disciplinary matters will be dealt with on a verbal warning basis by Supervisors/Managers. Verbal warnings will be recorded in the employee's personal file and confirmed in writing. They will be taken into account should any further disciplinary action arise.

Where this approach has no effect or in respect of more serious matters the following procedure, based on ACAS code of practice, will be followed. The procedure may be entered at any stage according to the nature of the offence.

Written Warnings

A formal written warning will describe the nature of the offence; set the standard required, state the time period allowed for improvement and the consequences if no improvement is shown. The employee will receive a formal disciplinary letter and a copy placed on their personal file.

First Written Warning

These will be given in cases of misconduct or failure to achieve the required standard of work or performance. First written warnings will be retained on file for a period of 6 months.

Final Written Warning

Will be given if the required standard is not achieved in the time period allowed or if another offence occurs during the time period. A final written warning will be held on file for a period of 12 months. A final written warning may be issued in the first instance or instead of a first written warning, in some cases of serious misconduct or where a failure to reach a required standard of work or performance is considered as serious.

Stage 2 - Action Short of Dismissal

One of the following actions can be taken in conjunction with a formal warning:

- a. Suspension with or without pay
- b. Loss of benefits

Stage 3 - Dismissal

Dismissal will be authorised by the Managing Director and confirmed in writing stating the reason and the effective date of termination.

Dismissal will result if:

During a period of final warning any employee commits another offence, or fails to make the required level of improvement. The normal notice period on termination will apply.

An employee commits an act of gross misconduct. Examples of gross misconduct offences include:

Theft, fraud, vandalism, serious damage to property, violence, threatening behaviour, refusal to obey reasonable instructions, abuse, un-authorised use of company equipment & transgression on Health & Safety rules.

This is not an exhaustive list and other offences may be considered as gross misconduct. Any instance of summary dismissal will take effect immediately and no payment will be made for loss of notice period.

Stage 4 - Appeals Procedure

Employees may appeal against any disciplinary decision that may have been taken. Appeals should be made in writing, stating their grounds for appeal, within 5 working days of the decision being made. Employees will be given the opportunity to personally state their case and have the right to be accompanied by a work colleague.

Appeals against Decisions Short of Dismissal

Employees should inform their Manager of their grounds of appeal. The appeal will then be heard by the next level of Management above the level at which the decision was made.

Appeals against Dismissal

Employees shall inform the Managing Director (MD) of the grounds of their appeal. The appeal will be heard by the MD or nominated Director. In the event of an appeal against dismissal being unsuccessful the effective date of termination will be that contained in the disciplinary letter.

Discipline - Learners

Discipline rules and procedures are necessary for ensuring fairness and order in the treatment of learner's. The primary objective is to encourage improvement to meet the required standard of learner work, performance and conduct with disciplinary action being taken when the required standards are not met.

1. Cases of petty misconduct may be treated informally by staff. This amounts to a "telling off". An example of this might be where there has been noisy behaviour. A verbal warning may be issued by any vocational or support member of staff. Verbal warnings will not be in writing, but should be reported to the appropriate senior manager who will keep a written note of the misconduct and what is expected of the student/learner in terms of behaviour.
2. Problems with a Student/learner's punctuality, poor attendance. This will be dealt with by the tutor and Managing Director. Persistent issues of punctuality and attendance become indiscipline and fall within the scope of the formal stages of the Student/Learner Disciplinary Procedure below.

Misconduct:

I.e. Breaches of Discipline

Broadly speaking breaches of discipline may be:

- related to vocational progress
- behavioural
- a combination of both of the above

The following are examples which may result in disciplinary action:

- Any breach of the learners' obligations as set out in the Learner Charter (including health and safety or other regulations of the CableCom Training Ltd).
- Deliberately or by gross negligence causing damage to any CableCom Training Ltd buildings, equipment, books or furnishings or the property of others.
- Any theft of property or other dishonest act(s).
- Any learner behaviour which could bring CableCom Training Ltd into disrepute.
- Any illegal or dangerous act which may have an adverse effect on the work of CableCom Training Ltd or on other learners.
- Any bullying, intimidation, taunting, verbal abuse or the use of any violence or threat of violence towards any person.
- Any behaviour which is racially or sexually offensive or which is offensive to those with learning and / or physical disabilities or impediments.

- Being under the influence of or any use, possession or supply of, any illegal drug on CableCom Training Ltd property.
- Any drunkenness or being under the influence of alcohol on CableCom Training Ltd premises.
- Any failure to follow the reasonable instruction of a member of staff.
- Any cheating, plagiarism or copying of the work of other learners.
- Disrupting any class/programme on or off site, whether or not involving staff or other learners.
- Any undue noise or any unruly behaviour or use of foul or abusive Language.
- Any unauthorised interference with software or data belonging to or used by CableCom Training Ltd, another learner or staff member.
- Any smoking in non-smoking areas.
- Any learner allegation against a member of staff which, following investigation, is found to be false will be treated as Gross Misconduct.

It is emphasised that this is not an exhaustive list of the types of cases which CableCom Training Ltd may treat as misconduct.

Any misconduct involving violence or a serious threat of violence; deliberate damage to property; endangering the health and safety of others; repeated misdemeanours or any criminal activities affecting CableCom Training Ltd or other students (or which could bring CableCom Training Ltd into disrepute) are likely to be treated as Gross Misconduct.

Cases of Gross Misconduct can lead to immediate suspension of a learner, pending an investigation to consider exclusion and could subsequently lead to permanent exclusion from our programmes.

The following discipline procedures are to be followed:

Stage 1 - Investigation & Interview which may include:

Warnings:

- a. Verbal warning
- b. Written warning
- c. Final written warning

Stage 2 - Action short of dismissal from programme

Stage 3 - Dismissal from programme

Stage 4 - Appeal

If any learner commits an act of gross misconduct summary dismissal from a programme can result regardless of the above procedure.

Stage 1 - Investigation and Interview

Following an alleged breach of discipline or failure to meet learner work or performance standards and prior to the issue of any formal warning or the taking of any disciplinary action the responsible senior manager will investigate the matter fully.

A disciplinary interview will be held at which the results of the investigation will be put to the learner. The learner will be given the opportunity to respond to the complaint at this time. The action to be taken will normally be advised to the learner within three working days.

In the event of an allegation of serious misconduct, a learner may be suspended from their programme whilst an investigation is carried out. Such suspension, which does not imply guilt or blame, will be for as short a period as possible.

Verbal Warnings

Minor disciplinary matters will be dealt with on a verbal warning basis by the relevant senior manager. Verbal warnings will be recorded in the learner's personal file and confirmed in writing. They will be taken into account should any further disciplinary action arise.

Written Warnings

A formal written warning will describe the nature of the offence; set the standard required, state the time period allowed for improvement and the consequences if no improvement is shown. The learner will receive a formal disciplinary letter and a copy placed on their personal file.

First Written Warning

These will be given in cases of misconduct or failure to achieve the required standard of learner work or performance. First written warnings will be retained on file for a period of 6 months.

Final Written Warning

Will be given if the required standard is not achieved in the time period allowed or if another offence occurs during the time period. A final written warning will be held on file for a period of 12 months. A final written warning may be issued in the first instance or instead of a first written warning, in some cases of serious misconduct or where a failure to reach a required standard of learner work or performance is considered as serious.

Stage 2 - Action Short of Dismissal from Programme

The following action can be taken in conjunction with a formal warning:

- a. Temporary suspension from programme until issue investigated/resolved.

Stage 3 - Dismissal from programme

Dismissal will be authorised by the Managing Director and confirmed in writing stating the reason and the effective date of termination.

Dismissal will result if:

During a period of final warning any learner commits another offence or fails to make the required level of improvement.

A learner commits an act of gross misconduct. Examples of gross misconduct are:

Theft, fraud, vandalism, serious damage to property, violence, threatening behaviour, refusal to obey reasonable instructions, abuse, un-authorised use of company equipment & transgression on Health & Safety rules.

This is not an exhaustive list and other offences may be considered as gross misconduct. Any instance of summary dismissal from a programme will take effect immediately.

Stage 4 - Appeals Procedure

Learners may appeal against any disciplinary decision that may have been taken. Appeals should be made in writing, stating their grounds for appeal, within 5 working days of the decision being made. Learners will be given the opportunity to personally state their case and have the right to be accompanied by a colleague.

Appeals against Decisions Short of Dismissal from Programme

Learners should inform the Managing Director of their grounds of appeal.

Appeals against Dismissal from Programme

Learners shall inform the Managing Director (MD) of the grounds of their appeal. The appeal will be heard by the MD or nominated Director. In the event of an appeal against dismissal from programme being unsuccessful the effective date of termination will be that contained in the disciplinary letter.

This policy has been endorsed by Clive Donnison (MD) and has the full support of the management/board.

The policy was approved on 01 Apr 2009, following consultation with senior management.

Signature: *C. Donnison*

Date: 01/04/09