



EQUAL OPPORTUNITIES POLICY

Our Commitment and Aims

We are committed to providing equality of opportunity in our employment practices and procedures, and to avoiding unlawful discrimination being suffered by our employees, job applicants, clients or customers.

We will not discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

We will not discriminate unlawfully against customers, contractors, suppliers or visitors using or attempting to use the goods, facilities and services that we provide.

This aim of this policy is to assist us in putting this commitment into practice to ensure all our employees are treated fairly, respectfully and without prejudice, so that you are able to maximise your full potential, and do not commit and/or are not subjected to unacceptable and unlawful acts of discrimination.

Our policy is implemented in accordance with the Equality Act 2010 and all other appropriate statutory requirements and has been compiled after consideration of all available guidance and relevant Codes of Practice.

We will strive to ensure that our work environment remains positive, free from harassment and bullying, and that everyone is treated with dignity and respect at all times in maintaining and sustaining equal opportunities in employment.

Types of Unlawful Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct sex discrimination would be refusing to employ a woman because she was pregnant.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory, in relation to individuals that have a protected characteristic. However, for there to be a claim of indirect discrimination the provision, criterion or practice must also:

- be to the detriment of people who share the particular protected characteristic compared with people who do not;
- not be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct related to one of the prohibited grounds which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment will have taken place in such circumstances even if this effect was not intended by the person responsible for the conduct.

Third-party harassment

Third-party harassment occurs where an employee is harassed by third parties such as clients or customers and the harassment is related to a protected characteristic.

Associative discrimination

Associative discrimination is where an individual is directly discriminated against or harassed due to their association with another individual who has a protected characteristic.

Perceptive discrimination

Perceptive discrimination is where an individual is directly discriminated against or harassed due to a mistaken perception that he/she has a particular protected characteristic.

Failure to make reasonable adjustments

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have a disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Victimisation

Victimisation occurs where an employee is subjected to a detriment, because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he or she is suspected of doing so. However, an employee is not protected from victimisation if he or she gave false evidence or information, or made a false allegation, if the evidence or information is given, or the allegation is made, in bad faith.

Dignity at Work

We have a separate 'Dignity at Work Policy' concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with once reported.

Responsibilities

You are required to support us in meeting our commitment to provide equal opportunities in employment and to avoid unlawful discrimination.

If you commit serious acts of harassment you may be guilty of a criminal offence. As well as exposing us to liability for unlawful discrimination, you can be held personally liable for such acts.

Acts of discrimination, harassment, bullying or victimisation against you or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Such acts may in certain circumstances constitute gross misconduct and could lead to your summary dismissal.

Redress

If you consider that you may have been unlawfully discriminated against or been the victim of a breach of this policy, you may use our grievance procedure to make a complaint.

If your complaint involves bullying or harassment, you should refer to the 'Dignity at Work Policy.'

We will take all complaints seriously and will seek to resolve any grievance which we uphold.

You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Monitoring and Review

We will monitor this policy periodically to judge its effectiveness and it will be updated in accordance with relevant changes in the law.

In particular, we will monitor the ethnic and gender composition of the existing workforce and of applicants for jobs (including promoted posts), and the number of people with disabilities within these groups. We will review our equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, we will implement them.

Information provided by job applicants and you for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 1998.

DIGNITY AT WORK POLICY

Introduction

We are committed to creating a harmonious environment by ensuring equal opportunities and fair treatment for every employee in the workplace.

One of the key aims of the policy is to ensure we provide a positive working environment in which all staff feel comfortable and in which everyone is treated with respect and dignity, regardless of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief or any other personal factor or quality.

This policy aims to ensure that there is no bullying and harassment of and by any employee, contractor, or anyone else engaged to work on our premises. The purpose of this policy is to provide you with both protection and a procedure to raise and effectively deal with a complaint either informally or formally, if you believe you have been harassed or bullied.

Bullying and Harassment

Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate or injure another person.

Examples, though not an exhaustive list, which may constitute bullying are:

- threats, abuse, teasing, gossip and practical jokes;
- humiliation and ridicule either in private, at meetings or in front of customers or clients;
- name calling, insults, devaluing with reference to age, appearance;
- setting impossible deadlines;
- excessive monitoring;
- removing responsibilities;
- withholding information.

Harassment, in general terms, is unwanted conduct related to a relevant protected characteristic, that:

- violates a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by a person to have the effect of violating his/her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him/her, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something which is meant to be 'banter' may offend another person. Different people find different

things acceptable. Everyone has the right to decide what behaviour is acceptable to him or her and to have his or her feelings respected by others.

Harassment may also occur where an individual is subjected to unwanted conduct due to his/her association with another individual who has a protected characteristic.

Harassment may also occur where a person engages in unwanted conduct towards another because he/she has a mistaken perception that the recipient has a protected characteristic.

Harassment may also occur where an individual is subjected to unwanted conduct from a third party, such as a client or customer. If you feel that you have been bullied or harassed by customers, suppliers, vendors or visitors, you should report any such behaviour to us in order that we can take appropriate action. Bullying or harassment of customers, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

For the avoidance of doubt we will treat a single incident as harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under our disciplinary and dismissal procedure. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice.

Examples, though not an exhaustive list, of behaviour which may constitute harassment are:

- physical contact ranging from touching to serious assault;
- verbal and written harassment through jokes, offensive language, gossip and defamatory references;
- unwanted nicknames related to a protected characteristic;
- excluding an individual from social activities due to his/her association with somebody who has a protected characteristic;
- ignoring an individual because he/she is perceived to have a protected characteristic when in fact he/she does not have that protected characteristic;
- intrusion by pestering, spying, following etc.

We will treat all such complaints of harassment and bullying seriously and will investigate them promptly, efficiently and in confidence.

The main aim of this policy is to provide a framework for resolving complaints of harassment or bullying and for stopping any behaviour that is causing offence or distress.

Raising a Complaint

You have a right to complain if you are treated in a manner that you believe constitutes harassment or bullying. This will include behaviour that has caused you offence, humiliation, embarrassment or distress.

Apart from complaints about the behaviour of colleagues, you also have the right to complain if you believe that you have been bullied or harassed by a third party, for example a customer, client or supplier.

If you raise a complaint under this policy you are automatically protected and under no circumstances will you be subjected to any unfavourable treatment or victimisation as a result of making a complaint. However, if it is established that you have made a knowingly false or malicious complaint

against another person about harassment or bullying, serious disciplinary action will be taken against you which may result in your dismissal.

If you witness an incident that you believe to be the harassment or bullying of another member of staff you should report the incident in confidence to a Senior Manager or a director. We will consider all such reports seriously and will treat the information in strict confidence, as far as it is reasonably possible to do so.

Reporting a Complaint

Before raising a formal complaint, you are encouraged in the first instance to talk directly and informally to the person you believe is harassing you and explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence to you, and request that it stop.

It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or objectionable and that a direct approach may resolve the matter without the need for formal action.

If you would like support in making such an approach, you should contact a Senior Manager or a director.

However, if you feel unable to take this course of action, or if you have already approached the person to no avail, or if the harassment is of a very serious nature, you may decide to raise a formal complaint.

Formal complaints may be raised, in writing, with a Senior Manager or a director.

When lodging your complaint of harassment/bullying, you should state:

- the name of the person whose behaviour you believe amounts to harassment or bullying;
- the type of behaviour that is causing offence, together with specific examples if possible;
- dates and times when incidents of harassment or bullying occurred, and where they occurred;
- the names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person; and
- any action that you have already taken to try to deal with the harassment or bullying.

Management Responsibility

When we receive a complaint of harassment or bullying, we have a duty to investigate the matter thoroughly and objectively and to take corrective action in order to ensure compliance with our Dignity at Work Policy.

We will be responsive and supportive towards anyone who raises a genuine complaint of harassment or bullying.

We reserve the right, at our discretion, to suspend you from duty pending investigation for harassment or bullying for a temporary period whilst investigations are carried out. Such suspension will be for as short a time as possible and will be on full pay.

If you are accused of harassment or bullying you will be informed of the exact nature of the complaint against you and afforded a full opportunity to challenge the allegations and put forward an

explanation for your alleged behaviour in a confidential interview, with a companion present if you choose. It will not be presumed that following an allegation of harassment you are guilty.

We regard all forms of harassment and bullying as serious misconduct, and if you are found to have harassed or bullied a colleague you will be liable to serious disciplinary action up to and including summary dismissal.

Although not always necessary, if a complaint against you is not upheld, a voluntary transfer of either of the parties may be offered. Such transfers will be consensual.

If it is agreed neither party will move we will monitor and check the situation in terms of our duty of care to determine whether there has been any form of victimisation or retaliation.

Alternatively, where a complaint is upheld it may be necessary, if practicable to relocate or transfer one of the parties to another department or function.

Following the meeting, you will be informed in writing of the outcome within 5 working days and told of any action that we propose to take as a result of your complaint. If you are dissatisfied with the outcome, you may make a formal appeal.

Your appeal should be made in writing to a director. You should clearly state the grounds of your appeal, i.e. the basis on which you say that our findings were inaccurate or inappropriate. This should be done within 5 working days of the written notification of the outcome of the grievance. An appeal meeting will be arranged to take place within 10 working days of the submission of your formal appeal.

Following the appeal meeting, you will be informed of the outcome within 5 working days.

We will maintain records of investigations into alleged incidents of harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection Act 1998.

CONFIDENTIAL REPORTING POLICY

Introduction

Under certain circumstances, you have legal protection for making disclosures about any organisations for which you work. Employees making disclosures are commonly referred to as 'whistle blowers' and their activities have often received wide publicity in the media.

If you believe, for example, that organisations were disposing of toxic waste illegally you may 'blow the whistle' directly to the press or television, perhaps because of concern for the environment, or a genuine belief that the organisation would attempt to 'cover-up' the situation if asked to stop.

In the past, if you 'blew the whistle on an organisation' you were often treated detrimentally and victimised and your employment was often terminated.

These actions discouraged employees from whistle blowing even where such action was in the public interest.

The legislation on making a protected disclosure is designed to protect you from suffering any detrimental treatment and/or from being dismissed from your employment for whistle blowing.

Qualifying Disclosures

Disclosures are qualifying disclosures where it can be shown that the organisation commits a 'relevant failure' by:

- a) Committing a criminal offence;
- b) Failing to comply with a legal obligation;
- c) Committing a miscarriage of justice;
- d) Endangering the health and safety of an individual;
- e) Causing Environmental damage;
- f) Concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen.

Procedure

If you have any concerns you should report the matter to a director who will treat the matter in complete confidence.

General Notes

The Public Interest Disclosure Act 1998, as amended, prevents you from suffering a detriment or having your contract terminated for 'whistle blowing' and we take very seriously any concerns which you may raise under this legislation.

We encourage you to use the procedure if you are concerned about any wrong doing or malpractice at work. However, if the procedure has not been invoked in good faith (e.g. for malicious reasons or in pursuit of a personal grudge), then you may be liable to serious disciplinary action which could result in your summary dismissal on the grounds of gross misconduct.

DISCIPLINARY AND DISMISSAL PROCEDURE

Introduction

We believe it is necessary for the proper operation of our organisation and the wellbeing and health and safety of our staff that we follow a recognised and consistent Disciplinary and Dismissal procedure.

The procedure will be applied fairly in all instances where we regard disciplinary action as necessary, save to the extent that a minor or informal reprimand is given for a minor infringement or act of misconduct.

We reserve the right to implement the procedure at any stage as set out below taking into account the alleged misconduct. You will not ordinarily be dismissed for a first disciplinary offence.

We reserve the right to discipline or dismiss you if you have less than 12 months' continuous service without following this Disciplinary and Dismissal Procedure

You have the right to be accompanied at any formal disciplinary hearing by a fellow worker or trade union official of your choice.

Matters that we view as amounting to disciplinary offences include (but are not limited to):

- bad timekeeping;
- unauthorised absence;
- minor damage to our property;
- breaches of our rules, policies and procedures
- abusive behaviour;
- unreasonable and deliberate refusal to follow instructions;
- poor attendance;
- smoking in non-designated areas on our premises.

Gross misconduct

Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between us.

In the event that you commit an act of gross misconduct, we will be entitled to summarily dismiss without notice or pay in lieu of notice.

Matters that we view as amounting to gross misconduct include (but are not limited to):

- stealing from us, members of our staff or the public;
- other offences of dishonesty;
- falsification of a qualification that is a stated requirement of your employment or results in financial gain to you;
- falsification of records, reports, accounts, expense claims or self-certification forms, whether or not for personal gain;
- sexual misconduct at work;
- fighting with or physical assault on members of staff or the public;
- deliberate damage to or misuse of our property;

- deliberate damage to or misuse of third-party property during the course of your employment;
- negligently or wilfully causing serious damage to our property;
- negligently or wilfully causing serious damage to third-party property during the course of your employment;
- drunkenness or being under the influence of illegal drugs while at work;
- possession, custody or control of illegal drugs while at work;
- wilful failure to follow a legitimate management instruction;
- serious breaches of our rules, policies and procedures;
- working in competition with us;
- using our premises and/or our equipment for private work without our authorisation;
- approaching customers/potential customers of the business with a view to securing private work without our express permission;
- carrying out private work for customers/potential customers of the business without express permission;
- serious breach/es of confidentiality or a misuse of confidential information;
- gross negligence;
- conviction of a criminal offence that is relevant to your employment;
- conduct that brings our name into disrepute; and
- discrimination or harassment of any individual on the grounds of a relevant protected characteristic during the course of your employment.

Other acts of misconduct may come within the general definition of gross misconduct.

Investigation

We will promptly and thoroughly investigate any matter that is reasonably suspected or believed to contravene any of our policies or rules or which may otherwise be a disciplinary matter. You will be informed as soon as possible that an investigation is being undertaken and when we envisage that investigation will conclude.

There may be instances where suspension with pay is necessary while investigations are carried out.

We reserve the right to suspend you from duty with pay where there are reasonable grounds for concern that evidence may be tampered with or destroyed, or witnesses coerced before the disciplinary hearing, or if we believe there is a potential risk to the organisation, other employees or third parties in allowing you to remain at work.

Depending on the circumstances of the case, you may be invited to attend an investigatory interview. If such an interview is held prior to a disciplinary hearing, you will be informed at the outset that the interview is an investigatory interview.

There is no right for you to be accompanied at a formal investigatory interview. We reserve the right to dispense with an investigatory interview and to proceed directly to a formal disciplinary hearing.

Procedure

Upon completion of an investigation, if there are reasonable grounds to believe that you have committed an act of misconduct you will be invited to attend a disciplinary hearing.

In the event of your poor performance, disciplinary hearings will usually be undertaken only where counselling, further training (if appropriate) and informal oral warnings have failed to produce a satisfactory improvement in your performance.

In the event of a disciplinary hearing taking place we will:

- give you a minimum of two working days' advance notice of the hearing unless there are extenuating circumstances for not doing so;
- tell you in writing the purpose of the hearing and that it will be held under our disciplinary and dismissal procedure;
- explain your right to be accompanied at the hearing by a fellow worker or trade union official;
- give you written details of the nature of your alleged misconduct;
- provide you with all relevant information and evidence (including statements taken from any fellow employees or other persons that we intend to rely upon).

Where you are unable to attend a disciplinary hearing and you provide a good reason for failing to attend, the hearing will be adjourned to another day. We will give you notice of the rearranged hearing. Where the chosen companion is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that you propose an alternative time within five working days of the original scheduled date.

Unless there are special circumstances, if you are unable to attend the rearranged hearing it will take place in your absence. Your fellow worker or trade union official may attend in such circumstances and allowed the opportunity to present your case.

If appropriate, you may also be allowed to make written submissions in such a situation.

Role of Companion

You have the right to be accompanied by a fellow worker or trade union official at any disciplinary hearing or subsequent appeal. The trade union official need not be a fellow worker or employee, but if the person is not a fellow worker or employee, we may insist on them being certified by the trade union as being experienced or trained in accompanying employees to disciplinary hearings.

The choice of companion is a matter for you, but we reserve the right to refuse to accept a companion whose presence would undermine the process. Please note that you are not obliged to be accompanied by someone.

If your companion is one of our employees, he or she will be given appropriate paid time off to allow them to accompany you at a disciplinary hearing or appeal hearing.

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf.

However, both the hearing and any appeal hearing are essentially meetings involving you and our organisation, so any questions put directly to you should be dealt with by you and not by your companion.

Your chosen companion has the right to address the hearing to put your case, sum up your case and respond on your behalf to any view expressed at the hearing should you wish him/her to do so.

The companion may also confer with you in adjournments or during the hearing.

The Disciplinary Hearing

Due to our restricted management structure, the investigatory officer and the chair of the disciplinary hearing may require to be the same person.

At the hearing, you will be given reasonable opportunity to ask questions, respond and present a full explanation of the case against you and be notified of the content of any statements provided by witnesses. You will be able to call your own witnesses.

In addition, you will also be given the opportunity to raise points about any information provided by witnesses. Where we intend to call relevant witnesses, we will give you advance notice of this. You must also give advance notice if you intend to call your own witnesses.

We may adjourn the disciplinary hearing if it appears necessary or desirable to do so (including for the purpose of gathering further information).

You will be informed of the duration of any period of adjournment. If further information is gathered, you will be allowed a reasonable period of time, together with your fellow worker or trade union official, to consider the new information prior to the reconvening of the disciplinary hearing

After the conclusion of the disciplinary hearing, we will communicate the decision to you and what disciplinary action, if any, is to be taken against you. The decision will be confirmed in writing. You will be notified of your right of appeal under this procedure.

Disciplinary Action

Where, following a disciplinary hearing, we have decided that you have committed a disciplinary offence, the following disciplinary action may be taken:

- a) Where there is a reasonable belief that you have committed a minor offence or offences, a first stage written warning may be given. We will rely on such a warning in the event of you committing further misconduct. The warning will:
 - i) set out the nature of the offence committed;
 - ii) inform you that further misconduct is liable to result in further disciplinary action under this procedure;
 - iii) specify the period for which the warning will remain "active" on your personnel record. After such a period the warning will automatically lapse;
 - iv) state that you may appeal against the warning.

- b) Where we have a reasonable belief that you have committed either a more serious disciplinary offence, or, further minor offences have been committed by you after a first stage written warning has been issued to you and remains active, you will normally receive a second stage written warning. The warning will:
 - i) set out the nature of the offence committed;
 - ii) inform you that further misconduct is liable to result in further disciplinary action under this procedure;
 - iii) specify the period for which the warning will remain "active" on your personnel record. After such a period the warning will automatically lapse;
 - iv) state that you may appeal against the warning.

- c) Where we have a reasonable belief that you have committed a serious disciplinary offence amounting to gross misconduct justifying your dismissal but we decide after taking into account all mitigating circumstances, that a lesser penalty is appropriate, or, where we have a reasonable belief that you have committed a further disciplinary offence after a second written warning has been issued to you and remains active, you may be given a combined first and final written warning or final written warning. Such a warning will:
 - i) set out the nature of the offence committed;
 - ii) inform you that further misconduct is likely to result in your dismissal;
 - iii) specify the period for which the warning will remain "active" on your personnel record. After such a period the warning will automatically lapse;
 - iv) state that you may appeal against the warning.
- d) Where we have a reasonable belief that you have committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a final written warning given under c. above, you may be dismissed with notice or payment in lieu of notice.
- e) Where we have a reasonable belief that you have committed an act of gross misconduct, you will be summarily dismissed.
- f) Where we are entitled to dismiss you but due to mitigating circumstances, have chosen to issue you with a final written warning we may also impose either:
 - i) a disciplinary suspension - for the avoidance of doubt this may result in you not being required to work and a stoppage of pay for up to five working days; or
 - ii) a demotion - for the avoidance of doubt which may involve transfer to another position of lower status, pay and seniority

Appeal

You may appeal against any disciplinary sanction imposed against you, with the exception of an informal oral warning.

Due to our limited management structure, it may not be possible for the appeal to be conducted by a person previously uninvolved in the disciplinary process. In such circumstances, the appeal will be a complete review and re-appraisal of the decision and the penalty imposed taking into account the grounds of appeal.

When lodging an appeal, you should do so in writing and state:

- a) your grounds of appeal; and
- b) whether you are appealing against the finding that you committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed.

You are required to provide your written notice of appeal within five working days of being informed of the disciplinary sanction being registered against you.

Appeal hearings will normally take place within two weeks of receipt of your written notice of appeal unless there are extenuating circumstances.

Upon completion of the appeal, the person conducting the hearing will consider matters and a decision will then be notified, to you, in writing

The person conducting the appeal is obliged to consider any representations made by you and your fellow employee or trade union official and those of any members of management who conducted the investigation or who imposed the disciplinary penalty.

The person conducting the appeal will decide on the basis of these representations, and any facts that may have come to light since the disciplinary hearing, whether or not to uphold the disciplinary sanction.

In the event that your appeal is successful, depending on the level of disciplinary penalty given and the nature of your appeal, you may receive a lesser penalty e.g. a final written warning may be converted into a first written warning. Alternatively, we may decide no penalty was merited in which case all records of the original disciplinary penalty will be removed from your personnel record.

In the event that your appeal is unsuccessful, the original disciplinary penalty will be upheld.

You will normally receive written confirmation of the appeal outcome within five working days of the meeting unless there are circumstances preventing the notification of the outcome within that timescale. If there are reasons preventing notification, you will be notified accordingly. No further appeal is available against this decision.

Any decision taken to dismiss you will have had immediate effect. Accordingly, if your dismissal is with notice, the period of notice will already have commenced on the date on which you were notified of our decision. If your dismissal was a summary dismissal without notice, we will be under no obligation to reinstate or pay you for any period between the date of the original dismissal and any appeal decision.

In the event that the decision to dismiss is overturned, you will be reinstated with immediate effect and you will be paid for any period between the date of the original dismissal and the successful appeal decision. Your continuous service will not be affected.

Review and Amendment

This procedure will be periodically reviewed. Any amendment to it will be notified to you in writing and such written advice will inform you as to the date when any amendment comes into effect.

GRIEVANCE PROCEDURE

We believe that all employees should be treated fairly and with respect. If you are unhappy about treatment that you have received or about any aspect of your work, you should discuss this with a Senior Manager or a director in the first instance, who will attempt to resolve the situation on an informal basis.

Where attempts to resolve the matter amicably and informally do not work, it may be appropriate for you to raise a formal grievance under this procedure.

A formal grievance should be referred to a Senior Manager or a director explaining the nature and concerns of your complaint in respect to the way in which you have been treated by us or anybody acting on our behalf. If your complaint relates to bullying or harassment, the matter should be dealt with under the Dignity at Work Policy.

Grievances may be concerned with a wide range of issues, including the allocation of work, your working environment or conditions, the opportunities that you have been given for career development or the way in which you have been managed.

Complaints that you may have about any disciplinary procedure or action taken against you should be dealt with as an appeal under the disciplinary procedure.

Grievances raised while you are subject to disciplinary proceedings will usually be heard only when the disciplinary process has been completed. However, depending upon the gravity and relevance to the disciplinary proceedings, we reserve the right to suspend any impending disciplinary investigation or action until the grievance you raise has been properly dealt with informally or formally through this procedure.

The Right to be accompanied

You have the right to be accompanied by a fellow worker or trade union official at any grievance meeting or subsequent appeal. The trade union official need not be a fellow worker or employee, but if the person is not a fellow worker or employee, we may insist on them being certified by the trade union as being experienced or trained in accompanying employees to grievance hearings.

The choice of companion is a matter for you, but we reserve the right to refuse to accept a companion whose presence would undermine the grievance process. Please note that you are not obliged to be accompanied by someone.

If your companion is one of our employees, he or she will be given appropriate paid time off to allow him/her to accompany you at a grievance hearing or appeal hearing.

At any hearing or appeal hearing, your chosen companion will be allowed to address the meeting, to respond on your behalf to any view expressed in the hearing, and to sum up the case on your behalf.

However, both the hearing and appeal hearing are essentially meetings between you and us, so any questions put directly to you should be dealt with by you and not by your companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled, provided that you can propose an alternative time within five working days of the scheduled date.

Accessibility

If any aspect of the grievance procedure causes you difficulty on account of a disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with us and we will make appropriate arrangements.

Conducting the Grievance Procedure

We recognise that a formal grievance procedure can be a stressful and upsetting experience for all parties involved. Everyone involved in the process is entitled to be treated calmly and with respect.

We will not tolerate any abusive or insulting behaviour from you during the conduct of our grievance procedures and we will treat any such behaviour as misconduct under our Disciplinary and Dismissal Procedure.

FORMAL GRIEVANCE PROCEDURE

Making the Complaint

The first stage of the grievance procedure is for you to put your complaint in writing. This written statement will form the basis of your subsequent hearing and any investigations, so it is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking.

If your grievance is unclear, you may be asked to clarify your complaint before any meeting takes place with you.

Your complaint should be headed "Formal Grievance" and sent to a Senior Manager or a director.

We may make further attempts to resolve the matter informally with you, depending on the nature of your complaint. However, if you are not satisfied with the outcome, you may insist on the matter proceeding to a full grievance hearing.

Before proceeding to a full grievance hearing, it may be necessary to carry out investigations of any allegations made by you, although the confidentiality of the grievance procedure will be respected.

If any evidence is gathered in the course of these investigations, you will be given a copy long enough in advance of the hearing for you to consider such evidence properly.

In exceptional circumstances, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, this will be explained to you and an appropriate summary of the evidence gathered will be given to you.

The Grievance Hearing

The hearing will be held as soon as is reasonably practicable and, subject to any need to carry out preliminary investigations, within 10 working days on receipt of your written complaint.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the person conducting the grievance hearing as soon as possible.

If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may be conducted in your absence.

At the meeting, you will be asked to explain the nature of your complaint and what action you feel would be appropriate to resolve the matter. The meeting may be adjourned to allow further investigations to take place.

While you will be given every opportunity to explain your case fully, you should confine your explanation to matters that are directly relevant to your complaint. Concentrating on irrelevant issues or incidents that took place long before the matters in hand is not helpful and can hinder the effective handling of your complaint.

The person conducting the hearing will intervene if the discussion is straying too far from the key issue/s. He or she may also intervene to ensure that the meeting can be completed within a reasonable timeframe, depending on the nature and complexity of your complaint.

Following the meeting, you will be informed in writing of the outcome within 5 working days and told of any action that we propose to take as a result of your complaint. If you are dissatisfied with the outcome, you may make a formal appeal.

Appeal

Your appeal should be made in writing to a director. You should clearly state the grounds of your appeal, i.e. the basis on why you believe the outcome of the grievance hearing was wrong or inappropriate.

Your appeal should be submitted within 5 working days of your receipt of our written grievance decision. An appeal meeting will then be arranged for you within 10 working days of the submission of your formal appeal.

You should ensure that you attend the meeting at the specified time. If you are unable to attend because of circumstances beyond your control, you should inform the person conducting the appeal hearing of this as soon as possible.

If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the hearing may be conducted in your absence.

The person conducting the appeal hearing will consider the grounds that you have put forward and assess whether or not the outcome reached in the original grievance hearing was fair and appropriate.

Due to our limited management structure the appeal may require to be conducted by the same person as dealt with the initial grievance hearing.

The appeal will be a reconsideration of the specific areas with which you were dissatisfied in relation to the original grievance.

Following the appeal meeting, you will be informed of the outcome within 5 working days. The outcome of this meeting will be final.

Post-Termination Grievances

Should you wish to raise a grievance after your employment has ended, you should submit your grievance in writing to a director.

By agreement, the need for a grievance hearing may be dispensed with and we may deal with the matters raised in your grievance letter in writing.

A formal outcome in response to your grievance will be confirmed in writing and sent to you in due course.

Review and Amendment

This procedure will be periodically reviewed. Any amendment to it will be notified to you in writing and such written advice will inform you as to the date when any amendment comes into effect.

VEHICLE POLICY

Allocation of Vehicle

You will have been notified by us as to whether you are required to use one of our vehicles in the proper performance of your duties and whether you may use any vehicle allocated to you for personal use.

Before you can drive one of our vehicles you must receive authorisation from a director. To receive authorisation you must hold a full U.K. driving licence, or international equivalent. All original documents must be provided to a director for inspection and approval. A photocopy of your licence will be taken and held on file.

The allocation of one of our vehicles imposes certain obligations on you in order to safeguard the vehicle and ensure it is used correctly

Use of a Business Vehicle

If you are required to drive one of our vehicles it may be used only for business use. No private use is permitted.

You are responsible for any load carried by you in one of our commercial vehicles until a signed receipt for delivery is received. It is your responsibility to ensure that signatures are legible and accompanied by the recipient's printed name.

Should any goods arrive in a damaged state, the contents must be checked by you in the presence of a witness and the delivery note endorsed, with precise details of the contents and details of the damage.

You are responsible for the safe transit of both vehicle and load, and must ensure that any trailers are coupled and uncoupled safely.

It is your responsibility to ensure that containers are properly strapped and sealed. Where it is found that a container is not properly sealed, it must be reported immediately. You are responsible for ensuring that all loads are properly secured at all times. Failure to do, without a satisfactory reason, will be construed as a breach of health and safety regulations and result in serious disciplinary action being taken against you up to and including summary dismissal for gross misconduct.

You must comply with all statutory regulations, and any rules prescribed by us, regarding the recording of daily mileage, journeys undertaken and driving hours, and you must not exceed maximum driving hours by working for a third party. Contravention of these regulations could result in your dismissal.

Any statutory regulations in respect of the use of Trade Plates must be complied with.

Use of private vehicle on our business

If you use your own car on our business, it is your responsibility to ensure that your vehicle is covered by fully comprehensive car insurance for business use, and that you hold a current MOT certificate if the vehicle is over 3 years old.

Permitted Drivers

Our vehicles may normally only be driven by an authorised employee. Accordingly, your spouse/partner or other family member may only use one of our vehicles if he/she has received our written authorisation.

If such written authorisation is given, the driving licence of your spouse/partner or other family member will be checked as above.

If you are involved in an accident which is directly attributable to your personal carelessness, recklessness or negligence you will be liable for reimbursement of this cost to the company. We reserve the right to deduct this cost from your salary/wage.

An accident record is maintained relating to use of our vehicle(s). Excessive claims may result in us being unable to secure insurance for you to use and drive a business vehicle. If we are unable to secure insurance for you to drive one of our vehicles and there are no other alternative arrangements or positions available in our organisation at the time, we may require to terminate your employment.

Mobile Phones

Drivers should concentrate on driving and avoid distractions. Answering and sending telephone calls, sending text messages or faxes, accessing the internet, etc. are all distractions and in certain circumstances could amount to an offence of driving without care and attention or even dangerous driving.

It is a criminal offence to use a hand-held mobile telephone or similar device while driving. The relevant regulations permit use of hand-held mobile telephones while driving only in an emergency.

Any mobile telephone that is or must be held at any time while in use is a hand-held telephone. The use of an ear piece does not make a telephone hands free. To be hands free the telephone must be fixed or in a cradle. (Two-way radios are not hand-held instruments and are exempt from the Regulations.)

All hand-held mobile telephones should be switched off until you reach your destination or have stopped in a safe place.

If the telephone or equipment is hands free you may press buttons to send and receive messages. However, even the use of hands-free telephones can be dangerous. Whenever possible you should wait until the vehicle is stationary and in a safe place before using a hands-free telephone.

Driving Licence

You are required to notify us of any likely or pending prosecution or conviction due to any alleged contravention of the Road Traffic Acts.

Your licence shall be inspected by us every six months. We reserve the right to inspect your licence at other random intervals throughout your employment.

You must notify us of any changes in health which may affect your driving capability

Failure to provide your licence, your disqualification from driving for a period of time or the loss of your licence for any other reason will result in the withdrawal of the vehicle, and may lead to serious disciplinary action up to and including your dismissal.

Insurance Policy Excess

Accidents - Our motor vehicle policy is subject to an excess, details of which will be notified to you separately. In the event that you are responsible for an accident while driving one of our vehicles, you will be liable for any excess on the relevant motor vehicle policy.

If at any time, you have a claims history which requires our insurers to impose an increased excess, then you will have to meet the amount of this excess in addition to the standard policy excess.

The amount of the excess on the policy may vary from time to time and you will be informed of such alterations in writing.

Personal Contents - Personal property is not covered by our vehicle insurance policy and therefore we do not accept liability for loss and damage to your personal belongings. If you wish to safeguard your own personal property you should take out your own insurance cover.

Accidental damage

Should you be responsible for any unnecessary damage to the vehicle (other than normal wear and tear) whether to the outside or to the inside of the vehicle or to the fabric or additional extras fitted to the vehicle or in respect of any damage caused by any criminal or negligent act of yours, you will be required to repay to us any or all expenses required to repair the damage or loss.

This may be by deduction from your salary, expenses or allowances due to you or other method deemed acceptable to us. In this respect payment of any final salary, allowances or expenses may be delayed until after you return the vehicle so that an appropriate adjustment may be made.

Accidents

In the event of an accident involving one of our vehicles you are required to notify your Line Manager as soon as possible after the accident.

You are responsible for obtaining particulars of any persons involved in the accident as well as the names and addresses of witnesses. An accident report form must be completed within 48 hours of the accident occurring and sent to your Line Manager. You must not offer any opinion regarding responsibility for the accident.

You must not enter into any correspondence in relation to the accident. Any information received should be forwarded onto your Line Manager.

It is a legal requirement that you report an accident to a police officer or by personal appearance at a police station as soon as is reasonably practicable and in any case within 24 hours in the following circumstances:-

- If the accident involves personal injury to another person and you did not at the time of the accident give your name and address or produce your certificate of insurance to either a police officer or to another person having reasonable grounds for requiring these particulars to be given.
- In cases of accidents not involving injury to another person but involving damage to another person's property or vehicle, and you did not give your name and address at the time of the accident to a police officer or to another person having reasonable grounds for requiring this information.

You are by law required to report to the police if you hit obstacles such as road signs, trees, lamp standards, walls, buildings and other structures. Failure to comply with this legislation may result in a fine or period of imprisonment. In addition you will also face disciplinary action.

Prosecution

Where you receive a writ, summons or criminal complaint in connection with an accident or contravention of the Road Traffic Act, a copy must be forwarded onto your Line Manager immediately.

If you incur any fines for parking or other motoring offences, while driving one of our vehicles, you will be personally accountable for the payment of such fines. Fixed penalty notices are normally reported directly to us by the authorities.

Any fines for parking paid by us on your behalf will be recovered by way of a deduction from your salary/wage.

Servicing, Maintenance, Repairs, Petrol and Oil

Servicing must be carried out at a nominated garage previously agreed with your Line Manager and should be arranged to fit in conveniently with your work schedules.

Careful attention must be given to the condition of your tyres and you should check them at least once a week or sooner in accordance with the manufacturers handbook. It is your responsibility to ensure that the tyres of the vehicle do not fall below the legal limit for full tread.

Your vehicle must be cleaned internally and externally once a week and more frequently if conditions dictate.

Inland Revenue requirements

We are bound to make known to the Inland Revenue the names of those individuals to whom our cars or vehicles are allocated. Whilst every endeavour will be made to obtain relief on a corporate basis, the liability for any tax payments arising from the beneficial use of the motor vehicle for private purposes where applicable is your responsibility

Details of your private/company mileage will be required for tax purposes and it is your responsibility to provide the organisation with details of your mileage when requested.

Conditions

We reserve the right at any time to require you to return our vehicle, to vary the conditions set out in this policy, or to withdraw or change the type of vehicle allocated to you. Such variation of conditions will on every occasion be notified to you in writing.

If you contravene any of these rules specified in this policy, without a reasonable explanation being established, your vehicle may be withdrawn and you may also be liable to serious disciplinary action up to and including your dismissal.

If you fail to comply with the above terms and conditions, without a satisfactory reason, then you may be liable to disciplinary action and in addition, the withdrawal of our vehicle.

INFORMATION TECHNOLOGY AND COMMUNICATIONS POLICY

To maximise the benefits of our computer and communication resources and minimise potential liability, you are only permitted to use our various communication systems in accordance with the following guidelines.

Technology and the law change regularly and this policy will be updated to take account of these changes as and when necessary. You will be informed when the policy has changed but it is your responsibility to read the latest version of this document.

General Rules

Our computers, telephone and communication systems, software and their contents are intended for business purposes. You are permitted to use the systems to assist you in performing your job.

We have the right to monitor and access all aspects of our systems, including data which is stored on our computer systems, in compliance with the Data Protection Act 1998.

You must receive prior approval from management before using any part of our computer systems for personal use.

Security

We require you to log on to our computer systems using your own password (where provided) which must be kept secret. You should select a password that is not easily broken (e.g., not your surname).

You are not permitted to use another employee's password to log on to our computer system, whether or not you have permission to do so. If you log on to the computer, deliberately using another employee's password, you will be liable to disciplinary action up to and including summary dismissal on the grounds of gross misconduct.

If you deliberately disclose your password to another employee you will be liable to similar disciplinary action up to and including summary dismissal on the grounds of gross misconduct.

To safeguard our computer systems from viruses, you are not permitted to load or run unauthorised games or software, or to open documents or communications from unknown origins.

We reserve the right to require you to hand over all data relevant to our business held in computer useable format.

USE OF E-MAIL

We encourage you to use e-mail and the internet at work where this can save time and expense. However, we require you to follow our strict rules below.

If you are unsure about whether something you propose to download or to which you intend to respond may breach this policy you should seek advice from a director immediately.

Although we encourage the use of e-mail and the internet where appropriate, their use entails some risks. Accordingly, you must be prudent and take care not to introduce viruses onto our system and you must take proper account of any security advice we give to you.

You should also ensure that you do not send libellous statements in e-mails or use e-mail in an unprofessional way; such actions could expose us to the risk of legal action and liability for damages.

These rules are designed to minimise the legal risks to the business when you use e-mail at work and access the internet. Where something is not specifically covered in this policy, you should seek advice from a director.

Contents

E-mails should be checked very carefully prior to sending. E-mail should be treated like any other form of written communication and, as such, what is normally regarded as unacceptable in a letter is equally unacceptable in an e-mail communication. The content of any e-mail sent by you should be in accordance with the principles set out in our Equal Opportunity Policy and our Dignity at Work Policy.

The use of e-mail to send or forward messages which are defamatory, obscene or otherwise inappropriate will be treated as misconduct under our Discipline and Dismissal Procedure. In serious cases this could be regarded as gross misconduct and lead to your dismissal.

Other examples of misuse include, but are not limited to, the following:

- sending, receiving, downloading, displaying or disseminating material that insults, causes offence or harasses others;
- accessing pornographic, racist or other inappropriate or unlawful materials;
- engaging in on line chat rooms or gambling;
- forwarding electronic chain letters or similar material;
- downloading or disseminating copyright materials;
- transmitting confidential information about us or our clients;
- downloading or playing computer games; and
- copying or downloading software

Equally, if you receive an obscene or defamatory e-mail, whether unwittingly or otherwise, and from whatever source, you should not forward it to any other address.

Statements to avoid in e-mails include those criticising our competitors or their staff, those stating that there are quality problems with goods or services of suppliers or customers and clients, and those stating that anyone with whom we have dealings is incompetent.

Monitoring

We carry out monitoring of our computer equipment for security reasons to detect and deter unauthorised use.

Monitoring will consist of random checks on your computer equipment. The results of the monitoring will be maintained in strict confidence

Mobile telephones

Our mobile telephones are provided at our absolute discretion on the basis of business need.

Our mobile telephones may not be used for private calls except in the case of an emergency.

We monitor the use of our mobile telephones.

It is your responsibility to safeguard any mobile telephone provided to you. Please do not leave a mobile phone in a visible place such as in an unattended car. The use of a personal identification number (PIN) is recommended for added security. Loss of one of our mobile telephones should be reported to your Line Manager. Any costs sustained by us resulting from broken work handsets may result in us making deductions from your wages.

Etiquette

You should always display due consideration for others in the use of your mobile telephone; this entails turning it off or putting it on silent when your use of it could be distracting, for example during meetings and training sessions.

You should also observe any restrictions imposed by other organisations on the use of mobile telephones while you are on their premises or on premises under their control.

Websites/weblog

You are free to set up personal weblogs or "blogs" on the internet, provided that they do not breach the law or disclose confidential information, breach copyright, defame us or our suppliers, clients, customers or employees, or disclose personal data or information about any individual that could breach the Data Protection Act 1998.

We do not encourage you to write about your work in any way and would prefer you not to do so. If you choose to do so then you should follow the guidelines below:

- You should state to the readers that the views that you express are yours only. You should include a notice such as the following: "The views expressed on this website/weblog are mine alone and do not necessarily reflect the views of my employer".
- You must not disclose any information that is confidential or proprietary to us, or to any third party that has disclosed information to us. Our rules on confidentiality provide guidance about what constitutes confidential information.
- You should be aware that other organisations in our industry/profession may employ staff to read the personal weblogs of their competitors' employees to glean information about, for example, your work, products, technical developments and staff morale, and that your weblog may be being read in this way.
- If you choose to write about your work even without identifying our name, it may still be possible for people to work out our identity. You should always be conscious of your duty to act in good faith and in our best interests. Your duty of fidelity is a very strong legal obligation. We will not countenance criticisms in weblogs. Even where they are true and not defamatory, they may amount to a breach of your duties to us and could lead to action under our disciplinary policy against you which could result in your summary dismissal on the grounds of gross misconduct. You should not link your site to our site. Any such links require our consent.
- You must not use our website, internet systems or intranet for your weblog. You must not write your weblog during working hours.
- If you are asked to contribute to an official weblog connected to us then special rules will apply and you will be told in detail how to operate and about what to write.

Although you should take your own legal advice on your weblog, you should be careful not to:

- include material that breaches copyright, link it to other material rather than cutting and pasting it;
- defame (libel) anyone;
- include personal information about an individual without their consent, otherwise you risk breaching the Data Protection Act 1998, which is a criminal offence;
- include material that is sexist, racist or otherwise actionable;
- bring our organisation into disrepute.

Breach of this policy

Any breach of this policy will be treated as misconduct. Whether it is minor or gross misconduct will depend on the particular circumstances.

Queries

If you have any questions about this policy you should refer them to a director.