

Disciplinary Procedure

This Disciplinary Procedure is designed to promote and ensure fairness in the treatment of staff. The procedure provides an opportunity to a staff of the Lloyds Security Services, who is under any form of disciplinary action to state his case and also make an appeal against any decision that he considers to be unfair. If he fails to attend a disciplinary hearing without justification, the hearing may precede in absentia.

The correct procedure is designed to ensure that;

1. The correct procedure is used when inviting an staff to attend a disciplinary hearing.
2. He is fully aware of the standards of performance, action and behaviour required of an staff of the company.
3. Disciplinary action, where necessary, is taken speedily and in a fair and consistent manner.

Suspension

On some occasions in order to carry out an uninterrupted investigation, temporary suspension of the staff may take place. This is not regarded as disciplinary action or a penalty of any kind. During this period, the staff will be paid for those shifts for which he was rostered to work. Confirmation for such suspension will be made in writing as soon as practicable. If an staff is removed from the site for investigation by request of the client (Not Suspension) he will not be paid for any lost time.

Disciplinary Investigation

An initial investigation shall be held in all cases likely to necessitate a formal Disciplinary Hearing. The person conducting the investigation shall not preside at the subsequent Disciplinary Hearing, but may be present as a material witness at that Hearing.

Notice of Hearing and Complaint

The person under disciplinary action will be given sufficient time verbally or by a written notice to attend a Disciplinary Hearing. The details of the alleged offence(s) will also be communicated. Any documentary evidence to hand and likely to be used in the Disciplinary Hearing will be included with the written notification. Any evidence not to hand at the time of the written notification will be presented to person for perusal prior to the Hearing commencing.

Right to Be Accompanied

The staff will have the right to be accompanied at all stages of the disciplinary process by other Lloyds Security Services staff of his own choosing, who will be deemed as your companion witness. Alternatively, if the staff is a Transport & General Workers Union (T & G) member, he may be represented by a T & G representative, or any other union representative. It shall be the responsibility of the staff to notify the union representative himself.

At the hearing, evidence in support of the allegation(s) against him will be presented, and he will be given the opportunity to present his side of the story and offer any mitigation.

Disciplinary Action

The staff will be informed of the outcome of the allegation(s), and any resulting disciplinary action taken just after the conclusion of the Hearing. If his performance happened to be unsatisfactory, he will be advised of the nature of improvement required, the period during which performance will be reviewed, and be warned that failure to correct the performance to the designated standards within the specified time scale may result in further disciplinary action. He will be advised of the right of appeal, to whom any appeal must be addressed, and within the relevant specified time frame.

The findings of the Disciplinary Hearing will be confirmed in writing within 3 days, and a copy of the contemporaneous notes taken during the Hearing will be included, if not already given to him.

Disciplinary Procedure

Except in cases of gross misconduct, there are four stages in the disciplinary procedure in respect of disciplinary action.

Stage 1: Formal Verbal warning

In case of a minor offence, the outcome of Hearing is usually to issue a Formal Verbal Warning. The person conducting the Hearing will state the reason for warning, what the minimum acceptable standard of performance is (if applicable) and assistance will be given to the staff to help for the improvement in his performance. He will also be informed that the stage 2 disciplinary actions will be taken if no improvement is made or another offence is committed during the currency of the warning. The Formal Verbal Warning will remain on file for a period of 3 months from the date of Hearing at which it was issued.

Stage 2: Written warning

In the event of no satisfactory improvement, or if the offence is regarded as more serious, or if another offence occurs within the currency of a prior warning, a new disciplinary hearing will be convened which, if the allegation(s) is proven, may result in a written warning.

Again, assistance will be given to the staff to help for the improvement of performance (if applicable), and the staff will be warned that action under Stage 3 will be considered if there is no improvement. The Written Warning will remain on the file for a period of 6 months from the date of the Hearing at which it was issued.

Stage 3: Final Written warning

If there is still no improvement or where the offence is sufficiently serious, or there is any further breach of discipline within the currency of a prior warning, a new Disciplinary Hearing will be convened which, if the allegation(s) is proven, may result in a final written warning. Again, assistance will be given to the staff to help for the improvement in performance (if applicable), and the staff will be warned that action under Stage 4 will be considered if there is no improvement. The Final Written Warning will remain on file for a period of 12 months from the date of the hearing at which it was issued.

Stage 4: Dismissal

If there is no improvement within the period stated in the final written warning, or a further breach of the Company rules occurs, there will be a new Disciplinary Hearing which, if the allegation(s) is proven, may result in dismissal with notice. In cases of Gross Misconduct, if the allegation(s) is proven, it may result in summary dismissal without notice.

Prior to any dismissal, authorisation for the dismissal must be obtained from the Managing Director or the person acting on his behalf during his absence.

It is accepted that in some circumstances, the nature of the breach of discipline may require that some preliminary stages are dispensed with and a more severe penalty is adopted i.e. stage 2 or 3 may be invoked immediately. Lloyds Security Services reserves the right to choose the appropriate penalty in accordance with the prevailing circumstances, the seriousness of the matter(s) and the effect on the Company's business, whilst taking into account any relevant mitigating factors.

If the staff is in a supervisory or management position, demotion to a lower status may be considered as an alternative to dismissal (except in cases of gross misconduct).

Disciplinary Offences

Practically, it is not possible to specify all disciplinary offences that may result in disciplinary action. In addition to the specific examples shown below other breaches of Company terms and conditions may also result in invoking of disciplinary procedure. Below is a list vis-a-vis misconduct including unsatisfactory performance acts that may make staff liable to disciplinary action. It is pertinent to mention that the list is not an exhaustive list but are some of the examples.

- Unsatisfactory standards of work performance.
- Persistent absenteeism.
- Persistent lateness.
- Smoking in designated non-smoking areas.
- Unauthorised use of negligent damage or loss of Company or Client property.
- Failure to abide by the health and safety rules and procedures.
- Failure to devote the whole of your time, attention and abilities to the Company business and its affairs during your normal working hours.
- Failure to report any incident.

Gross Misconduct

The following list in relation to Gross Misconduct acts is not exhaustive but is some of the examples.

- Indecent or immoral behaviour, sexual harassment or bullying.
- Sleeping whilst on duty.
- False reporting or recording.
- Violence or threats of violence.
- Unauthorised use of e-mail, internet or telephones.
- Abuse of the protected disclosure provisions.
- Providing false or misleading information, or making any misrepresentation in obtaining employment with the company.
- Being under the influence of, possession, supply or use of alcohol or illicit drugs whilst at work.
- Theft or unauthorised possession of money or property.
- Gross neglect or continuing refusal to carry out legitimate instructions.
- Discrimination on the grounds of race, sex, disability or gender reassignment.
- Carrying unauthorised goods or passengers in Company or Client vehicles, or the use of Company vehicles for personal gain.
- Serious breaches of the health and safety rules and procedures which endanger the health, safety and welfare of staff, or any other persons.
- Gross disloyalty and/or working in competition with Lloyds Security Services.
- Gross abuse of the company's rules, procedures and policies.

Disciplinary Appeal Procedure

The staff has the right to appeal against the finding(s) of a Disciplinary Hearing at all stages of the disciplinary procedure. Such appeal must be in writing; addressed to the person named in the letter confirming the outcome of the Disciplinary Hearing; be made within 7 days of its receipt; and must state the grounds on which appeal is being made.

An appeal will be heard by a Manager independent of any previous hearing and senior in authority to the Manager who presided at the Disciplinary Hearing.

The staff may be accompanied at the Appeal Hearing by a fellow Lloyds Security Services staff by his own choosing, who will be deemed as their companion witnesses. Alternatively, if the staff is a Transport & General Workers Union (T & G) member, he may be represented by a T & G representative or any other union representative. However, it shall be his responsibility to notify his T & G/Union representative.

The staff will be notified in writing, within 7 days of the receipt of his written appeal, as to the location, date and time of the Appeal Hearing. The result of the appeal, which will be binding and final, will be confirmed to the staff in writing within three working days of the Hearing.