Disciplinary Policy

Applies to	All employees
Does not apply to	Self-employed contractors, agency workers and workers
Policy owner	HR Manager
Version	2.0
Last reviewed	20/07/2026
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We want to be a workplace where standards are clear, behaviour is consistent, and everyone is treated fairly.

This policy explains what we expect from you, what happens if those expectations are not met, and - equally importantly - what you can expect from us if a disciplinary matter arises.

We follow the ACAS Code of Practice on Disciplinary and Grievance Procedures, which means the process is fair, transparent, and gives you a proper opportunity to respond at every stage.

This policy does not form part of your contract of employment. We will normally follow this policy in disciplinary situations, but we are not obliged to do so - particularly during a probationary period.

1. Starting informally

Not every conduct issue needs to become a formal matter. Where a concern is minor, your line manager will usually speak with you informally first. This conversation will not result in a formal warning, though a brief note may be placed on your personnel file for reference.

In some cases we may issue a letter of concern following that discussion. If the issue continues - or if we consider the matter too serious for an informal approach - we will move to the formal process set out below.

2. Investigation

We will not take formal disciplinary action without first inviting you to a meeting.

Depending on the circumstances, there may be a separate investigation meeting followed by a disciplinary hearing, or there may be a single meeting that covers both stages. We will make this clear when we write to you.

An investigation officer will be appointed to look into the allegation. The extent of that investigation will depend on the nature of the concern - it may involve speaking to witnesses, gathering documents or reviewing recordings. In most cases the investigation officer will meet with you, though this is not always necessary.

You do not have the right to bring a companion to an investigation meeting, but you should cooperate fully with the process.

The purpose of an investigation is fact-finding only. No disciplinary decision will be made at this stage.

Once the investigation is complete, the evidence will usually be passed to a separate disciplinary officer - ideally someone not previously involved. Although in some instances the same person may need to carry out both roles and, if so, we will tell you.

3. Suspension

In some situations - particularly where an allegation is serious, or where we need to protect the integrity of the investigation - we may suspend you from work while the matter is dealt with. Suspension is a neutral act. It does not mean we have concluded that you have done anything wrong.

If you are suspended:

- You must not come into work, visit our premises, or contact colleagues, clients, suppliers or contractors unless we give you written permission to do so.
- You may contact someone to ask them to act as a witness or to accompany you to a meeting under this policy - you do not need our permission to do this.
- Any pre-approved holiday that falls during your suspension will still be taken as holiday and deducted from your entitlement in the usual way.
- You will continue to receive your normal pay throughout your suspension.

We will keep the suspension under review and lift it as soon as it is no longer necessary. We will not keep you suspended for longer than is reasonably required.

4. If you raise a grievance during the process

If you raise a grievance while a disciplinary matter is being investigated, we will not normally pause the disciplinary process. Where the subject of your grievance is linked to the disciplinary matter or the way we are handling it, we will usually consider what you have raised as part of the disciplinary process rather than starting a separate grievance procedure.

5. Your right to be accompanied

At any formal disciplinary hearing - including one where dismissal is a possible outcome - you have the legal right to be accompanied by a colleague or a trade union representative.

If you want to bring someone with you, please let us know as soon as possible. It is your responsibility to arrange their attendance. If you choose a colleague, we will not stand in the way, but we may need to rearrange the meeting if their absence from work would cause operational difficulties.

Your companion can speak on your behalf, summarise your case and confer with you during the meeting. They cannot answer questions that are directed to you or prevent us from presenting our case.

6. The disciplinary hearing

If we decide to proceed to a formal hearing, we will write to you in advance. That letter will set out:

- the allegation against you
- the evidence we intend to rely on, including copies of any witness statements or documents unless there is good reason not to share these
- the date, time and location of the hearing

- the possible outcomes, including whether dismissal is being considered
- your right to be accompanied

Please review the evidence carefully and let us know promptly if there is anything further you would like us to consider. Send us copies of anything you want to put forward and tell us as soon as possible if you intend to call your own witnesses.

If you cannot attend at the time arranged, tell us as soon as possible. We will usually rearrange once if we are satisfied with your reason. A second rescheduling will only happen in exceptional circumstances. If delay becomes unreasonable, we may need to proceed in your absence.

At the hearing, we will go through the evidence with you, make sure you understand what is alleged, and give you a full opportunity to respond. You can present your own evidence, ask questions and call witnesses. If you want us to put specific questions to our witnesses, let us know and we will do so unless there is good reason not to.

We may arrange for a note-taker to be present, or we may record the hearing. We will not record without telling you, and we ask that you extend the same courtesy to us - if you intend to record, please say so in advance. If you have concerns about the process or the people leading it, raise them openly so we can address them.

We will not usually give you our decision on the day. We aim to write to you with the outcome within five working days of the hearing.

7. Disciplinary outcomes

There are three stages to our formal disciplinary process. We may begin at any stage depending on the seriousness of the matter, and we may skip stages where appropriate.

First written warning

For most first instances of misconduct, we will issue a first written warning. This will normally remain on your record for 6 months, after which it will be removed.

Final written warning

If you have an active first written warning and a further conduct issue arises - or if the matter is serious enough to warrant it at the outset - we will issue a final written warning. This will also normally remain on your record for 12 months.

Dismissal

If you have an active final written warning and a further conduct issue arises, or if the matter amounts to serious or gross misconduct, you may be dismissed. Gross misconduct may result in summary dismissal - that is, dismissal without notice and without payment in lieu of notice.

Alternatives to dismissal

In some circumstances we may consider alternatives to dismissal. These could include redeployment to a different role, demotion, or an extension of the final written warning period to allow further time to review your conduct. Redeployment or demotion may result in a reduction in pay.

8. Your right to appeal

You have the right to appeal against any disciplinary outcome. To do so, write to the person named in your outcome letter within five working days of receiving it, setting out clearly why you are appealing and including any additional evidence you want to be considered.

We will arrange an appeal hearing. If you cannot attend at the time arranged, tell us as soon as possible. We will usually rearrange once if we are satisfied with your reason. Wherever possible, an appeal hearing will be led by someone who was not involved in the original hearing. You have the right to be accompanied at the appeal hearing in the same way as at the original hearing.

Depending on your grounds of appeal, we may carry out further investigation. The appeal could be a review of the original decision or a full re-hearing - we will decide which approach is most appropriate.

You should be aware that the appeal officer is not limited to simply upholding or reducing the original outcome. They may, if they consider it appropriate, decrease the sanction, maintain it, remove it entirely, or increase it.

We aim to write to you with the appeal outcome within ten working days of the appeal hearing. The appeal decision is final. There is no further right of appeal.

9. What counts as misconduct?

Misconduct means behaviour that falls below the standard we expect. The following are examples - this list is not exhaustive:

- Minor breaches of company policy or your employment contract
- Unauthorised use of, or minor damage to, company property
- Absence from work that has not been authorised
- Poor attendance or persistent poor timekeeping
- Refusing to follow reasonable instructions
- Excessive personal use of company phones, email or the internet
- Using offensive language or behaving in a way that others find inappropriate
- Careless conduct or wasting contracted working hours
- Smoking in areas where it is not permitted

A first instance of misconduct will not usually result in dismissal unless it is serious enough to amount to gross misconduct.

10. What counts as gross misconduct?

Gross misconduct is behaviour so serious that it fundamentally undermines the employment relationship. A finding of gross misconduct may result in summary dismissal - dismissal without notice or payment in lieu of notice. The following are examples. This list is a guide and is not exhaustive:

- Serious breaches of company policy
- Bullying, intimidation or physical violence
- Fraud, theft or any act of dishonesty
- Prolonged or repeated unauthorised absence without reasonable explanation, including deliberate failure to maintain required contact.
- Dishonestly claiming company sick pay

- Falsifying records or information - for example, altering figures to present yourself in a better light, even where there is no direct financial gain
- Receiving or accepting a gift or advantage from any supplier of the company or any person who has a business relationship with the company which could be construed as a bribe, inducement or corrupt reward
- Making malicious or dishonest use of any company procedure, including raising false allegations through a grievance
- Serious negligence or carelessness that undermines our trust and confidence in you
- Serious breaches of health and safety
- Serious breaches of data protection law or our Data Protection Policy
- Serious or deliberate damage to company property
- Unlawful harassment or discrimination
- Sending, receiving or accessing material that breaches our Harassment and Bullying Policy, Sexual Harassment Policy or Equality, Diversity and Inclusion Policy.
- Knowingly accessing offensive, obscene or pornographic material
- Misuse of company IT systems, including storing or transmitting obscene or inappropriate material
- Serious insubordination or deliberate refusal to follow management instructions
- Serious breaches of confidentiality
- Covertly recording colleagues or any workplace meeting without the knowledge of those present
- Being under the influence of, or in possession of, illegal drugs at work
- Being under the influence of alcohol at work without your manager's knowledge and permission (for example, where you are involved in client entertaining on behalf of the business)
- Any conduct that violates common decency or that could bring the business into disrepute
- Being convicted of a criminal offence (other than a road traffic offence for which you are not sentenced to a term of imprisonment, whether immediate or suspended) which, in the reasonable opinion of the company, makes you unsuitable for your type of work, or deeply impacts your suitability to continue in your role, or poses a risk to the company's reputation, employees, or operations

11. Confidentiality

All disciplinary matters - including the fact that an investigation is taking place, the identity of any witnesses, and the details of any allegation - must be kept confidential. You should only share information about a disciplinary matter with those who are directly involved in the process. We will take the same approach on our side.

Breaching this confidentiality obligation will itself be treated as a disciplinary matter.

12. How you should conduct yourself during the process

A disciplinary process can be stressful for everyone involved. We ask that you treat all colleagues, witnesses and managers with courtesy and respect throughout - including during formal meetings where difficult issues are being discussed. Any failure to do so will be treated as a separate disciplinary matter.

You should also ensure that you do not treat any colleague differently as a result of their involvement in the process, including where they have acted as a witness.

13. Sickness absence during the process

If you are signed off sick after being notified of a disciplinary meeting or hearing, your sick pay will be governed by our Absence Management Policy - this means you receive statutory sick pay only. Your right to statutory sick pay is not affected.

If you are too unwell to attend a hearing, we will offer you a new date. However, if it becomes clear that the matter cannot be resolved within a reasonable timeframe, we may need to explore alternatives - such as a phone or video hearing, written submissions, or asking a colleague or representative to attend on your behalf.

14. Criminal matters

If the police are investigating the same matter we are also dealing with internally, we will not usually wait for the outcome before proceeding. Our internal disciplinary process operates independently of any criminal investigation or prosecution.

Conduct outside of work may also be treated as a disciplinary matter if we reasonably believe it is relevant to your role, or could affect the business, our reputation, or your colleagues.

15. Questions and administration

The HR Manager is responsible for the administration of this policy. If you have any questions or feedback, please contact suebailey@ansteyhorne.co.uk.

Related policies: Grievance Policy - Harassment and Bullying Policy - Sexual Harassment Policy - Equality, Diversity and Inclusion Policy - Whistleblowing Policy - Data Protection Policy

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