



## Angard Staffing Disciplinary Policy

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*Angard Staffing expects high standards of conduct and performance from its employees. This policy sets out the process that will be followed where an employee is alleged or suspected of breaching those standards. A copy of the standards can be found in the Royal Mail Agency Workers Handbook, and the Royal Mail Business Standards provided to you at the start of your employment. Additional copies can be obtained from [Angard.employee@reed.com](mailto:Angard.employee@reed.com) and the Angard Staffing Standards, which can be found at [Angard Staffing Employee Policy Guides | Angard Staffing](#)*

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### Contents

- Introduction
- General Points
- Informal Resolution
- Disciplinary Procedure
- Sanctions
- Review

### Introduction

This policy is designed to promote orderly employment relations as well as fairness and consistency in the treatment of employees. The procedures will apply to all employees of Angard Staffing (**Angard**).

It is important to remember that this policy will cover you in your capacity as a temporary worker placed on an assignment with Royal Mail. Whilst Angard is your employer it may, if deemed appropriate, ask Royal Mail to deal with matters on its behalf.

For the avoidance of doubt, this policy does not form part of your contract of employment or otherwise have contractual effect.

This policy is effective from 13th July 2021.

### General Points

- All documents and discussions (whether at any investigatory discussion, disciplinary hearing, appeal hearing or otherwise, whether in person or remote) forming part of this procedure are confidential and must be treated as such by all participants involved, including you and any witnesses or other staff.
- It is in all parties' best interests to deal with disciplinary issues promptly. Best endeavours will be made to deal with disciplinary issues without unreasonable delay. To enable this to happen you should be aware that if you are persistently unable or unwilling to attend investigatory, disciplinary or appeal hearings without good cause, a decision may be made based on the

information available. Where meetings do need to be rearranged, you should provide alternative dates and times for no later than 5 calendar days after the original meeting was due to take place. You should respond to any requests for information and provide relevant documentary or witness evidence as soon as possible.

- You are legally entitled to be accompanied at the disciplinary and appeal hearings by a companion (**companion**). The companion should either be:
  - (i) a fellow colleague of your choice (provided they are willing to accept the role of companion); or
  - (ii) a full-time trade union official or a lay trade union official who has been certified by the relevant trade union as having experience or having received training in acting as a companion in disciplinary matters.

Your companion will be entitled to take a reasonable amount of time away from their assignment to discuss the matter with you and accompany you at the hearing without loss of pay (if the meeting is arranged when your companion is due to be on an assignment themselves). If your companion is not booked onto an assignment at the time that the meeting is scheduled for then they will not receive pay for accompanying you.

You must notify the disciplinary / appeals manager of the name and status of your companion before the hearing as soon as practicable. You are responsible for providing your companion with the meeting details e.g. date, time and location or login details if held remotely.

If your companion cannot attend the hearing at the time proposed, you may suggest an alternative time, which should be within five calendar days after the time originally proposed, provided the alternative time is reasonable (bearing in mind the availability of the disciplinary manager).

The companion who accompanies you may address the hearing on your behalf to put your case forward, sum up your case and to respond on your behalf to any view expressed at the hearing. The companion may also confer privately with you during the hearing.

- If you ask an individual to be a witness you should ensure that they are aware that they may be required to give further evidence during the process if any issues remain unclear. They should be reminded that any matters discussed should remain confidential.

The issues which are covered by Angard's disciplinary procedure fall into three categories, namely:

- (a) Gross Misconduct;
- (b) Misconduct; and
- (c) Poor Performance (including unsatisfactory attendance)

### **Gross Misconduct**

The following are examples of gross misconduct:

- (a) theft;
- (b) deliberate damage to property or unauthorised use of Angard or Royal Mail property;
- (c) serious breach of confidentiality or unauthorised disclosure of confidential information;
- (d) falsification of records, reports, accounts, expense claims or self-certification forms or any other fraudulent or dishonest conduct;
- (e) refusal to carry out duties, follow reasonable instructions or serious insubordination;
- (f) possession of illegal substances;

- (g) serious breach of rules or policies (whether Angard's or Royal Mail's), or other conduct (whether or not committed at work) which, in Angard's reasonable opinion, is likely to bring discredit to Angard / Royal Mail or their reputation;
- (h) violent, abusive, dangerous, bullying or intimidatory conduct (whether within or outside the workplace);
- (i) discrimination (including harassment) whether on the grounds of race, sex, age, disability, pregnancy or maternity, gender reassignment, marital or civil partner status, sexual orientation, caste or religion or belief (including political opinion in Northern Ireland) or otherwise;
- (j) inability to carry out your duties due to consumption of alcohol, illegal drugs, or abuse of prescription drugs;
- (k) serious negligence, which causes or could cause unacceptable loss, damage or injury to Angard or Royal Mail or any of its employees or customers;
- (l) serious infringement of health and safety rules; and
- (m) serious breach of confidence (other than a permitted disclosure under the Public Interest Disclosure Act 1998).

These examples are not exhaustive or exclusive and other types of serious misconduct not specifically listed above may also amount to gross misconduct.

### ***Misconduct***

Misconduct is unsatisfactory behaviour, which is less serious than gross misconduct.

This includes, but is not limited to:

- (a) poor timekeeping and lateness;
- (b) unauthorised absence;
- (c) causing damage (or allowing damage to be caused) to Angard's or Royal Mail's property or the property of any employee or customer;
- (d) breach of or failure to comply with policies or rules;
- (e) breach of confidentiality or unauthorised disclosure of confidential information; and
- (f) misuse of Royal Mail or Angard property, facilities or Angard's or Royal Mail's name.

These examples are not exhaustive or exclusive and other behaviour not listed above may amount to misconduct.

### ***Poor performance***

Poor performance is a failure to perform to the standards required by Angard (including a failure to perform to the standards expected of you during an assignment to Royal Mail) and including unsatisfactory attendance.

### **Informal Resolution**

If there is a concern about your conduct or performance, attempts will be made, where possible, to discuss the matter with you to see if it can be resolved informally, where appropriate.

For cases of minor misconduct, informal resolution may result in an informal warning. If an informal warning is given, you will be advised of the consequences of any future incidences of misconduct.

There is no right of appeal against informal warnings.

### **Disciplinary Procedure**

The following steps will be taken, as appropriate, in cases covered by this policy (please note that for employees with less than 2 years' service, the below process may not be applied in its entirety):

#### ***Investigation***

Where an allegation of misconduct or poor performance has been made an investigation of the issues will be undertaken. You may be removed assignments during any period of investigation (**suspension**) but will be paid for any assignments already booked that you are asked not to attend<sup>1</sup>.

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<sup>1</sup> Assignments must have already been booked and accepted on JoinedUp.

Whilst on suspension, you will not be entitled to access Angard's or Royal Mail's premises or be permitted to contact Angard's or Royal Mail's customers or suppliers except with the prior written consent of Angard.

You should not discuss the facts or details of the case with any colleagues or potential witnesses.

If you have any documents which you want to be considered as part of the investigation, you should provide copies as soon as practicable during the investigation process. You should also let the investigating manager know if you are aware of any witnesses who may be able to provide evidence on the issues being investigated, again as soon as practicable.

In some cases, it may be appropriate to hold an investigatory discussion where witness evidence and relevant documentation can be considered in more detail. The investigatory discussion may take place in person or remotely, by video call.

Periods of suspension or investigatory discussions will not constitute disciplinary action.

### ***Disciplinary Hearing***

If, after investigation, it is considered that formal disciplinary action may be appropriate, a formal hearing will be held (either in person or remotely). The disciplinary manager will be a different manager to the investigating manager.

You will be given written details of the allegations made against you and you will be invited to attend a hearing to discuss the matter. Normally you will be given at least three days' notice. The hearing will be held at Royal Mail's premises (if in person), or remotely via video or conference call where agreed. The hearing is your opportunity to respond to the allegations against you. You should inform the disciplinary manager of any special arrangements needed at the hearing (to cater for any language difficulty or disability, for example) or if there is a reason why you could not attend a hearing remotely by video.

You must take all reasonable steps to attend the hearing.

At the hearing, the disciplinary manager will explain the complaint against you and go through the evidence that has been gathered. You will be allowed to set out your case and answer any allegations, ask questions, present evidence, call relevant witnesses and raise points about any information provided by witnesses.

After the hearing, the relevant manager will consider the evidence and reach a decision. The decision will be confirmed to you in writing and you will be informed of your right to appeal any such decision.

Details of potential sanctions can be found below.

### ***Appeals***

You have a right of appeal against the awarding of a disciplinary penalty. You should inform the manager who conducted the disciplinary hearing, in writing, of your wish to appeal and the grounds of your appeal within 3 days of the disciplinary penalty being communicated to you.

You will be invited to an appeal hearing, which may take place in person or remotely. You should take all reasonable steps to attend the hearing. If possible, a manager who has not had any prior involvement in the procedure will conduct the appeal hearing.

At the appeal hearing you will be given an opportunity to state your case. You can be accompanied to the appeal hearing by a companion.

The outcome of the appeal hearing will be confirmed to you in writing. There is no further right of appeal, so the appeal decision is final.

## **Sanctions**

The following sanctions will apply in cases where poor performance, poor attendance, misconduct or gross misconduct is found to have occurred, taking into account the nature and severity of the matter.

### ***First Written Warning***

A first written warning may be appropriate in the following circumstances:

- A first instance of poor performance – the warning will detail the nature of the poor performance, the improvement required and a review date where your performance / improvement will be reviewed, such review date to be within a reasonable period. If appropriate, you may be offered training and / or other assistance to help you achieve the required standard of performance;
- Unsatisfactory attendance – where poor attendance has become an issue and an informal warning has not had the desired impact of improving attendance;
- Cases of misconduct – the warning will outline the consequences of any future incidences of misconduct whilst the first written warning remains live;
- Cases of further minor misconduct (of the same or other type) where an informal warning has already been given – the warning will outline the consequences of any future incidences of misconduct whilst the first written warning remains live.

First written warnings will be placed on your personnel file. The warning will automatically lapse after 12 months or such other period as specified in the warning.

### ***Final Written Warning***

A final written warning may be appropriate in the following circumstances:

- Continued poor performance – where you fail to achieve the improvement required by the first written warning by the review date, you will normally be given a final written warning. The warning will state the nature of the poor performance and the improvement required. The final written warning will also confirm that, unless your performance improves to a specified standard within a specified period after the date of the warning, your employment may be terminated. If appropriate, you may be offered training and/or other assistance to help you achieve the required standard of performance;
- Continued unsatisfactory attendance – where attendance has not improved within a reasonable period following a first written warning an employee will normally be given a final written warning;
- Cases of serious misconduct – the warning will outline the consequences of any future incidences of misconduct occurring before the expiry of the first written warning (usually consideration of dismissal); and
- Cases of further misconduct where the first written warning remains live - the warning will outline the consequences of any future incidences of misconduct occurring before the expiry of the first written warning (usually consideration of dismissal).

Final written warnings will be placed on your personnel file. The warning will automatically lapse after 12 months or such other period as specified in the warning.

### ***Dismissal***

Dismissal may be appropriate in the following circumstances:

Date 13/07/2021

- Poor performance - if you fail to achieve the improvement required by a final written warning within the specified period, you may be dismissed. You will be entitled to work a notice period or, alternatively, to a payment in lieu of notice in accordance with your contract.
- Unsatisfactory attendance - if you fail to achieve the improvement required by a final written warning within the specified period, you may be dismissed. You will be entitled to work a notice period or, alternatively, to a payment in lieu of notice in accordance with your contract.
- Cases of further misconduct where a final written warning remains live – where another instance of misconduct occurs (of the same or different type) before the expiry of a final written warning. You will be entitled to work a notice period or, alternatively, to a payment in lieu of notice in accordance with your contract.
- Cases of sufficiently serious misconduct – where misconduct occurs that is not serious enough to amount to gross misconduct but is of a sufficiently serious nature as to warrant dismissal. You will be entitled to work a notice period or, alternatively, to a payment in lieu of notice in accordance with your contract.
- Gross misconduct – you will be dismissed with immediate effect (summary dismissal) with no right to work a notice period or to pay in lieu of notice.

Where a decision is made to dismiss, the decision will be confirmed to you in writing, outlining the reasons for the decision.

If you appeal against a decision to dismiss, your dismissal will be effective as at the date specified in your dismissal letter unless your appeal is upheld, in which case you will be reinstated and your employment will be deemed to have continued during the period until the appeal decision was communicated to you.

### **Review**

This procedure will be reviewed by Angard and may be amended from time to time.

### **Getting help**

Please contact the Angard Helpline Number 0845 460 7318 or email [angard.employee@reedglobal.com](mailto:angard.employee@reedglobal.com)

For web access go to: [www.angardstaffing.co.uk](http://www.angardstaffing.co.uk)