



Conduct
Employee Fact Sheet

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INTRODUCTION

The guidance contained in this Fact Sheet is intended to help support you in understanding the principles and processes of the Conduct Code.

WHERE DO I GO FOR FURTHER INFORMATION?

[Conduct Code](#)

STANDARDS

You must ensure that you understand what standards are expected of you and seek advice from your manager where in doubt.

INFORMAL APPROACH

Post Office believes that it is in the best interests of all involved if informal coaching and guidance as to the required standards can be given at the time. The objective of any such action is to help you improve. Therefore, the informal procedure would normally be taken unless the offence is repeated or serious enough to warrant the formal procedure.

Every manager has their own style for informal discussions, but they may help you understand what would be discussed:

- the discussion should be two-way;
- it should take place as soon as possible after the event;
- it should take place in private;
- encourage the employee to give their point of view;
- won't pre-judge the outcome, but listen very carefully to any points the employee makes;
- establish what the problem is, point out any shortcomings, and try to find ways of achieving an improvement together;
- emphasise the good business reasons why a change is required.

Following any formal discussions your manager may make a record of the

conversation which can be referred back to by either party if required.

It's impossible to define precisely when a problem would require a formal rather than an informal approach - this will always depend on the circumstances of the case. However, the formal discipline procedure will need to be used if:

- the behaviour in question carries on;
- there is a serious failure to observe standards.

We aim to treat all employees fairly and consistently. The examples of 'misconduct' set out below indicate in general terms, the action to be taken in respect of particular types of offence. In most cases, an isolated incident of most of the examples of **misconduct** would be dealt with informally. Persistent or more serious examples would be dealt with under the formal procedure.

- Unauthorised absence;
- Unexcused lateness
- Failure to observe standard procedures and instructions (including negligence);
- Minor security lapse;
- Minor health and safety breach;
- Smoking in an unauthorised place;
- Lack of respect for customers; or
- Misuse of resources including:
 - time;
 - computers;
 - equipment/telephones;
 - facilities; and
 - accommodation.

Where an employee arrives late for genuine reasons - such as domestic or travel difficulties - the lateness would normally be excused. Late attendances of less than five minutes will also normally be disregarded. If it becomes persistent, however, it may be recorded and regarded as misconduct. Where lateness is regarded as misconduct in the first place it will be dealt with informally, as described above. If an informal approach doesn't have the desired effect, the formal approach may be used.

Examples of **serious misconduct** will be dealt with formally. Those marked * below may be so serious (gross misconduct) that they justify summary dismissal - that is, dismissal without notice.

- *Theft, fraud.
- *Dishonesty (including falsification of accounts).
- *Receiving or offering a bribe to gain a business advantage.
- *Misuse of business funds.
- *Serious violence.
- *The physical abuse on another person.
- Disorderly or indecent conduct on Post Office premises.
- Refusal to follow reasonable management instruction
- Intoxication
- *Criminal acts against the Post office, its employees or agents.
- *Discrimination, bullying, harassment or victimisation. Harassment based on any protected characteristic or harassment by association or perception.
- *Serious violations of IT policy.
- *Serious disregard of health and safety standards/regulations.
- *Serious disregard for security standards.
- *Disclosure of Post Office confidential information or Customer information to a third party without approval.

These lists are not intended to cover all instances of unacceptable conduct - they simply give examples of the sort of conduct which would normally be viewed as misconduct, serious misconduct and gross misconduct. Many of these examples could be placed in any category depending on the circumstances in which they take place.

THE FORMAL PROCEDURE

The formal procedure will be used when an employee's conduct is considered sufficiently below standard. The employee will normally have been counselled on the problem beforehand, though this may not be the case where the misconduct means that the formal approach is followed immediately.

Where the initial investigation of a case indicates that formal action is likely to be appropriate, the case will be taken forward by a manager other than the one who conducted the initial investigation - that is, two different managers will carry out the investigation and the disciplinary meeting.

INVESTIGATION

Any matter that is reasonably suspected or believed to breach any of Post Office policies or standards, or may otherwise be a disciplinary matter, may be investigated.

Investigative meetings are solely for the purpose of fact finding and no decision on whether to proceed to a formal disciplinary meeting would be taken until after the investigation has been completed.

Your manager will invite you to a meeting to discuss the concern/issue. You can choose to be accompanied to the investigation meeting by a work colleague or Trade Union representative.

At the meeting your line manager will ask you for an explanation of what happened.

The manager or a note taker present at the meeting will take a full record of the discussions and these will be shared with you following the meeting. You should check, amend/agree and sign a copy of the notes and return these to the manager within 3 working days. It will be considered that you accept that the minutes sent to you are a true reflection of the discussions and you do not wish to make any changes if not returned within required timeframe.

If your explanation for your conduct is fully acceptable then your line manager may take no further action or recommend some informal action.

If your explanation is not considered acceptable and your manager believes that formal disciplinary action may be appropriate under the circumstances they will notify you and refer the case to your second line manager who will invite you to a formal disciplinary meeting to hear the case.

PRECAUTIONARY SUSPENSION

There may be instances where precautionary suspension with pay is necessary while investigations are carried out. Post Office has the right to suspend with pay where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised during the course of an investigation /disciplinary procedure, or if there is a potential risk to the business or other colleagues or third parties in allowing you to remain at work.

In most cases suspension would be carried out by your line manager. The manager can notify your union representative of the precautionary suspension if you wish them too.

Your manager will send you a letter to confirm the details of the precautionary suspension.

Precautionary suspension should only last for as long as it is necessary to complete a full investigation and to allow you time to attend a formal disciplinary meeting to answer to the allegation(s).

If a period of precautionary suspension last for longer than 10 days the manager will write to you to provide you will an indication of the timeframes.

Criminal actions outside employment

Criminal actions outside employment would not be treated as automatic reasons for precautionary suspension.

Suspension would be appropriate where there is a potential serious risk to people, property or Post Office reputation.

Annual leave during suspension

If annual leave was booked before the suspension, it should be taken during the period of suspension. If you wish to cancel any planned annual leave you must notify your manager of this and records must be amended in [SuccessFactors](#).

Sick during suspension

If you are sick during precautionary suspended your suspension will be put on hold and sick leave will be recorded resulting in sick pay rules and pay limits being applied.

The need for precautionary suspension will be reviewed once you are fit to return to work and you will be notified accordingly if suspension will resume.

TIMESCALES

The following timescales apply to the formal disciplinary and appeal meeting:

STEP	TIMESCALES
Invite to Disciplinary Meeting	Min 3 working days' advance notice.
Disciplinary outcome	Within 5 working days of outcome confirmation.
Appeal to be submitted	Within 5 working days of receipt of conduct outcome.
Appeal meeting to take place	Within 5 working days of receipt of appeal.
Notice of appeal meeting	Min 3 working days' advance notice.
Outcome of appeal	Within 5 working days of appeal outcome confirmation.

Postponement of meeting due to representative / employee availability	Max 5 working days from original meeting date.
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If it is not possible to comply with these timescales, the manager will inform you accordingly, together with the reason for the delay and a timeframe for when the response can be expected.

DISCIPLINARY MEETING

You will be invited to a disciplinary meeting giving you a minimum of 3 working days' advance notice and details of the allegations against you.

You will be provided with evidence collated as part of the investigation to allow you to prepare for the meeting.

You have the right to be accompanied to the meeting by a work colleague or Trade Union Representative.

If you or your representative can't attend the proposed meeting you should let the manager know as soon as possible. They will rearrange the meeting for a different time. This wouldn't normally be more than 5 working days after the original meeting date and any new time proposed by you must be reasonable (for example, taking into account their availability).

The manager or a note taker present at the meeting will take a full record of the discussions and these will be shared with you following the meeting. You should check, amend/agree and sign a copy of the notes and return these to the manager within 3 working days. It will be considered that you accept that the minutes sent to you are a true reflection of the discussions and you do not wish to make any changes if not returned within required timeframe.

If further facts come to light during the formal disciplinary meeting, the manager may delay the decision pending further investigation.

Depending on the circumstances of the case, the manager can decide to:

- Dismiss the case and take no action (allegations are not substantiated)
- Take informal Action - a conversation, agreeing action plans, coaching, development, or training. Written documentation will normally be produced to outline or support this decision.
- Take Formal Action
 1. Formal warning
 2. Final warning
 3. Final warning with Transfer
 4. Suspended dismissal
 5. Procedural dismissal
 6. summary dismissal (gross misconduct)

Formal warnings stay on your file for up to but no more than 6 months. Final warnings, final warnings with transfer and suspended dismissals stay on your file for up to but no more than 12 months.

In cases of procedural dismissal you may receive a payment in lieu of notice.

In some cases, the misconduct may be considered so serious that it makes any further working relationship impossible. Such conduct is regarded as gross misconduct and may result in summary dismissal. Summary dismissal takes effect immediately without the normal period of notice.

The manager will confirm the outcome in writing to you within 5 working days of communicating the decision.

RIGHT TO APPEAL

If you are dissatisfied with the decision and wish to appeal a formal or a final warning you must notify the disciplinary manager that you will be appealing the decision and complete the Appeal Form in [SuccessFactors](#).

If you want to appeal a dismissal outcome you must notify the disciplinary manager that you will be appealing the decision and then notify

HR.appeals@postoffice.co.uk in writing using the **Appeal Form**.

All appeals must be submitted within 5 working days of receiving the written confirmation of the outcome.

The written appeal must clearly state the basis on which the appeal is to be made and whether you are appealing against the findings or against the level of disciplinary penalty imposed

You will receive a letter from the appeal manager inviting you to an appeal meeting giving you 3 working days advance notice.

Appeal meetings for formal warnings will be heard next in line and appeals for all other penalties will be heard outside of the management line by an independent appeals manager (minimum grade 3a).

You have the right to be accompanied to the appeal meeting by a work colleague or trade union representative.

If you or your representative can't attend the proposed meeting you should let the appeal manager know. They will rearrange the meeting for a different time. This wouldn't normally be more than 5 days after the original meeting date and any new time proposed by you must be reasonable (for example, taking into account the appeal managers availability).

The duration of the meeting will depend on a number of factors including the complexity of the complaint, and any additional evidence to be discussed. However, as a rule of thumb, you should be prepared to attend an appeal meeting for up to 2 hours.

It is important to know what to expect at the appeal meeting so you can prepare thoroughly beforehand. The manager hearing your appeal will adopt a professional and friendly approach aimed at establishing a good rapport with you.

The ground rules which the manager hearing your appeal will follow in conducting the meeting are as follows:

- Introduce themselves and all others who may be present at the meeting including any note-taker.
- If you are accompanied by a work colleague or trade union representative they will briefly explain the role of the representative.
- You will be told the purpose of the meeting, how it will be conducted and the possible outcomes of the meeting.
- You will be asked to explain why you have appealed the conduct outcome and explain how you would like it resolved. This may include any fresh evidence which you would like the appeals manager to consider.
- In addition, you will be able to comment on any new evidence what has come to light as a result of further investigations since the original decision was made.
- The manager's aim is always to listen intently to any points you want to make and ensure they understand exactly your position. The manager is not there to defend previous decisions or the way the case has been dealt with.
- At the end of the meeting the appeals manager will sum up and inform you of when a decision on your case can be expected.

On some occasions it may be necessary to undertake further investigation and any evidence collated will be shared with you for comment prior to a decision being made.

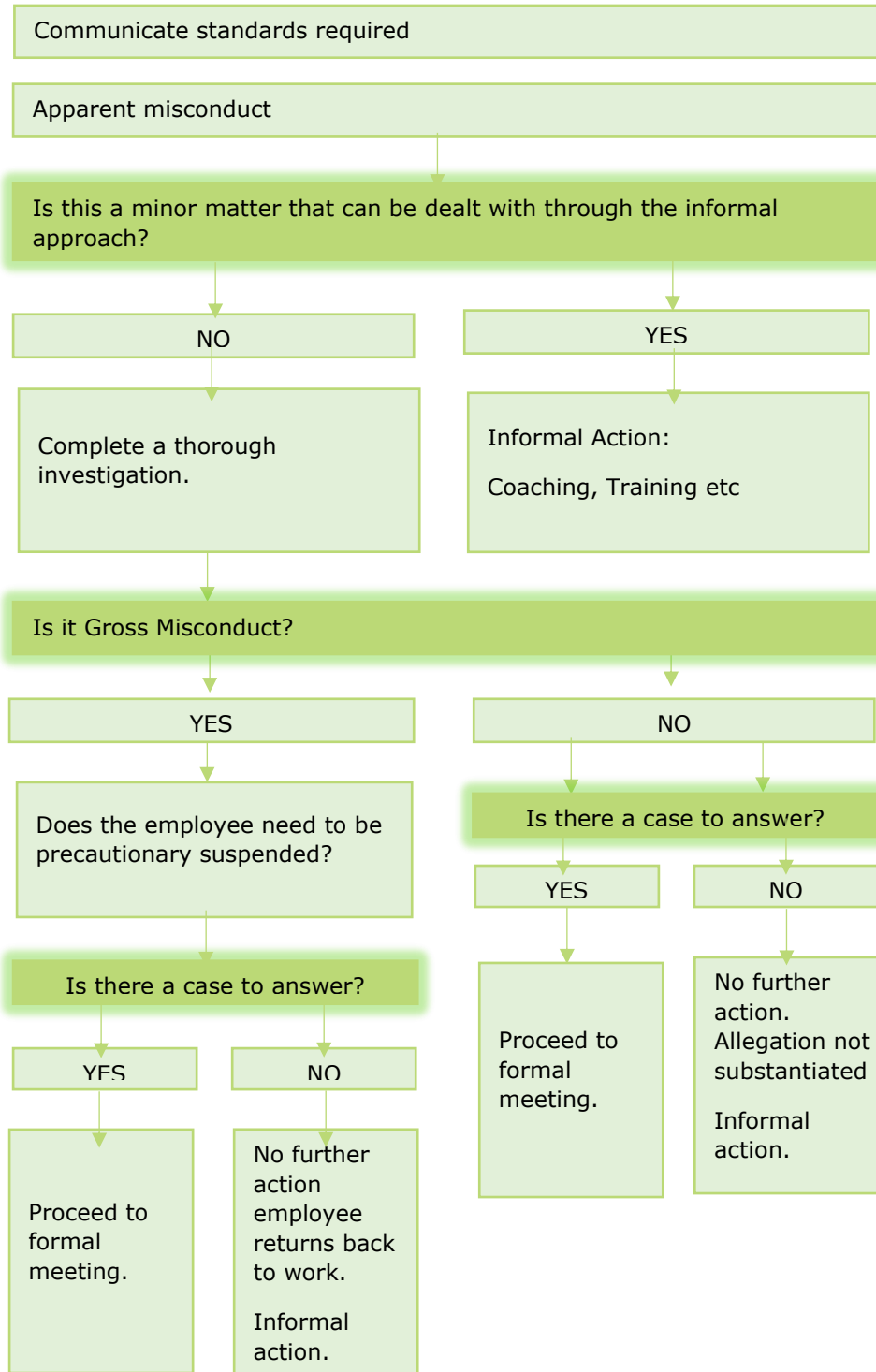
The appeal manager should confirm the outcome in writing to you no later than 28 days after the appeal being submitted. If there are any delays the appeals manager will confirm the reasons why and when you should expect to receive the outcome.

The decision of the appeal manager is final and there are no further rights of appeal.



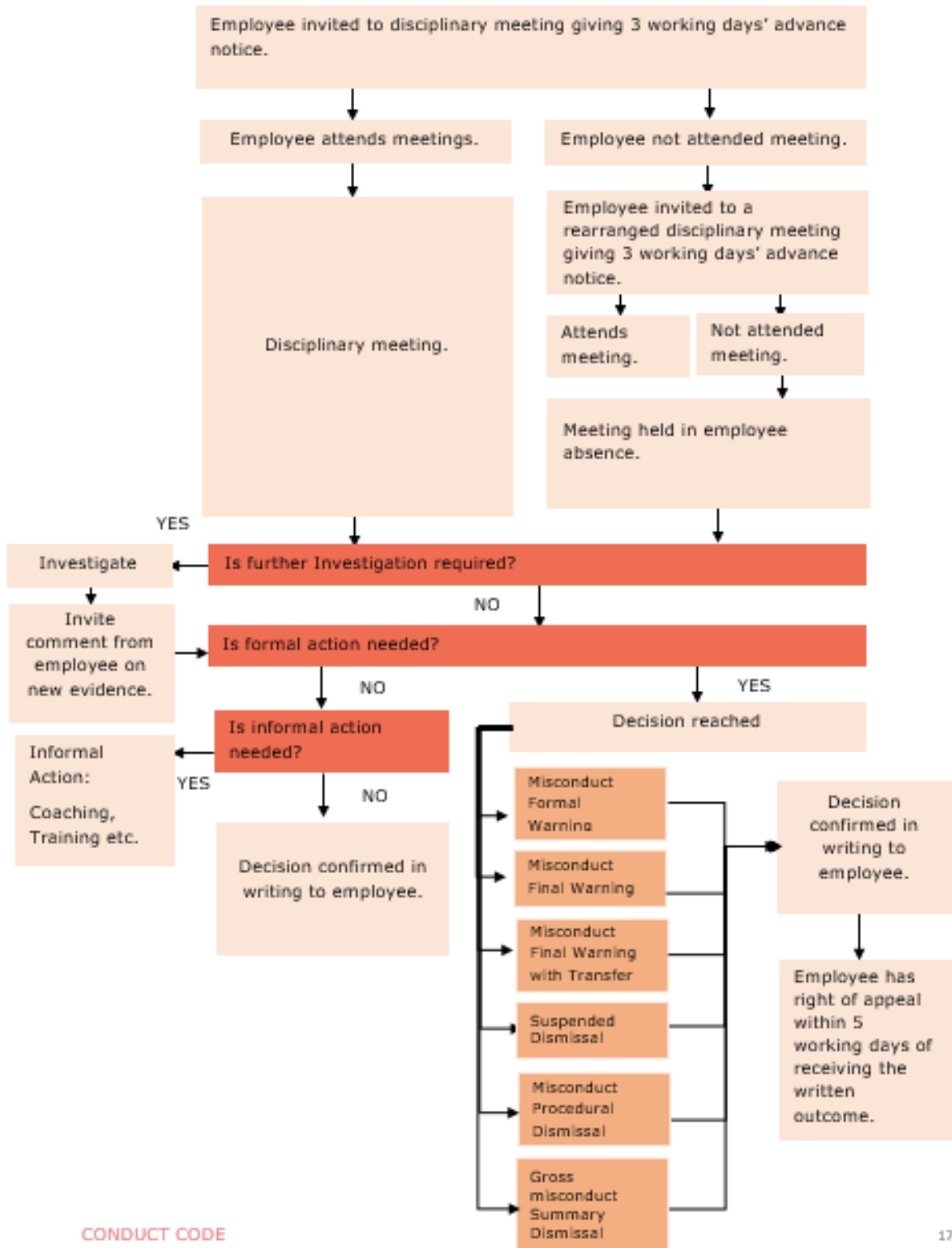
CONDUCT PROCEDURE

INFORMAL / INVESTIGATION PROCESS



FORMAL DISCIPLINARY PROCEDURE

If there are delays in the process the manager needs to ensure that the employee is notified of these with an update on the expected timeframes.



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APPEAL PROCEDURE

If there are delays in the process the manager needs to ensure that the employee is notified of these with an update on the expected timeframes.

