



Conduct Code

Policy and Procedure

CONTENTS

1. Policy statement	4
2. Policy aims	4
3. Scope	4
4. Principles	4
5. Employee Rights	5
6. Summary of Responsibilities	5
7. Required Standards	6
8. Informal approach	7
9. Formal approach	8
9.1 The right to be accompanied	8
9.2 Authority levels	8
9.3 Investigation	9
9.4 Precautionary Suspension	10
9.5 Notice of the formal Disciplinary Meeting	10
9.6 During the Disciplinary Meeting	11
10. Disciplinary penalties	11
10.1 Formal Warning	11
10.2 Final Warning	11
10.3 Final Warning with Transfer	12
10.4 Suspended Dismissal	12
10.5 Procedural Dismissal	12
10.6 Summary Dismissal	12
11. Gross Misconduct	12
12. Appeals	13
13. Criminal Offences	14
14. Disciplinary action against union representatives	14
15. Access to information	14
16. Equality, Diversity and Inclusion	15
17. Records	15
18. Reviews	15
19. FLOW CHARTS: Disciplinary Procedure	16

Conduct Code

We are pleased to be launching the revised Conduct Code which is a 'National Collective Agreement' across Post Office Limited with Unite and CWU.

This policy aims to help employees to achieve and maintain Post Office Limited standards of conduct and behaviour, while making sure employees are treated in the right way. It is a 'National Collective Agreement' between Post Office Limited, Unite and CWU and replaces all other previous conduct agreements to ensure that Post Office's approach to conduct is fully aligned to the way we want managers, union representatives and employees to work together.

The Conduct Code Policy and toolkit have been developed jointly by Post Office, Unite and CWU and support an approach that emphasises informal resolution.

We want to let employees know in an informal and timely manner if their conduct or behaviour is causing concern, whilst recognising that there will be occasions when managers need to deal with an issue formally.

A key change in the process is the different approach to suspensions. In the past, employees were suspended too often, for too long and sometimes for issues that were not that serious. The updated policy asks managers to reflect on why suspension is being considered; looking at the risks and consequences for the business.

We have also shortened the period of time a warning will be live to align to ACAS best practice.

We hope you find this policy and procedure useful in helping you to maintain the required standards. We believe that the updated policy will benefit the business, our employees and union representatives.

Andy Furey
Assistant Secretary



Mike Eatwell
UNITE Officer



Lee Kelly
Employee Relations &
Policy Director



1. POLICY STATEMENT

Post Office aims to create a great place to work, where we treat everyone how they like to be treated. We want Post Office Limited to be a happy, honest and inspiring place, where relationships are based on shared values and respect.

2. POLICY AIMS

The aim of the Conduct Code is to:

- Provide an approach that is fair, consistent, non-discriminatory and timely.
- Operate in a way that is supportive and corrective.
- Support the business standards we require.

- Encourage employees to achieve and maintain satisfactory standards of conduct.
- Set out employee rights and responsibilities.
- To ensure that employees understand the consequences of failing to meet these standards and what happens should disciplinary action become necessary.

The procedure is based upon principles of natural justice, fairness, equality, and reasonableness, as underpinned by legislation (Employment Rights Act).

This policy applies with effect from 16th December 2019 and replaces all earlier versions of the policy.

3. SCOPE

This policy applies to employees and workers employed by Post Office Limited.

This policy does not apply to agency workers or self-employed contractors.

4. PRINCIPLES

- The business will ensure employees and workers are aware of the expected standards of conduct and behaviour.
- All disciplinary matters will be treated with due confidentiality.
- The code is to prevent and correct rather than punish. This will be achieved through coaching and guidance to help employees reach the required standards and a progression of formal and final warnings where this approach fails or is inappropriate.
- Post Office will comply with its obligations to disabled employees under the Equality Act in terms of reasonable adjustments.

- Post Office recognise the need for reasonable adjustments that maybe requested by an employee during the process e.g.to accommodate flexible working, menopause etc.
- Post Office will make every effort to deal with disciplinary allegations as quickly as possible reaching a speedy resolution. Where there is a delay, the employee will be notified of the reason and when the decision is to be made.
- The employee will be made fully aware of the evidence. Copies of all documents will be provided in a timely manner in line with the procedure.
- When progressing a case and completely new information regarding a different incident comes to light, then a further conduct notification will be made to the employee, including the specific details so that they have the opportunity to respond.
- In cases where a final warning doesn't result in the required improvement - or in cases of gross misconduct - it is recognised that dismissal may be the only option.

- No employee will be dismissed for a first breach of conduct.
- In cases of gross misconduct a potential outcome may be dismissal without notice or payment in lieu of notice.
- Where the formal disciplinary procedure has commenced, employees should be reminded of the support available from the [Employee Assistance Programme](#) (EAP) and their right to have trade union representation

5. EMPLOYEE RIGHTS

- To be treated with respect and courtesy at all times.
- To be treated fairly and reasonably at all times.
- Be treated in an impartial, non-discriminatory way. Not to be discriminated against because of a protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation).
- To know what standards are expected of them.
- To understand the disciplinary procedure and be entitled to a speedy resolution of disciplinary issues.
- To a full investigation of the facts before disciplinary action is taken.
- At every stage in the disciplinary procedure, the employee will be given a **clear statement** of the allegation made against them, stating in detail what they are alleged to have done.
- To be given a minimum of 3 working days advance notice of any disciplinary or appeal meeting.
- To be provided with evidence gathered through the investigation before any disciplinary meeting, giving 3 days to consider it in detail. This will include any statements by witnesses and records of investigations.

- To be accompanied by a trade union representative or workplace colleague (of the same sex where required) at all stages of the formal disciplinary procedure and appeal.
- To be given a reasonable opportunity to state their case, ask questions, present evidence and call relevant witnesses before any decision regarding disciplinary action is made.
- To be given advance notice where the Post Office intends to call relevant witnesses.
- To be given the opportunity to raise points about any information provided by witnesses.
- To have their view of the case fully considered.
- To be issued with a copy of all meeting minutes and notes of disciplinary interviews (applies to both formal and informal counselling where made).
- Employees will be given the opportunity to agree and/or amend the minutes/notes from disciplinary interviews.
- To have all mitigating circumstances taken into account before reaching a decision.
- To be advised of the outcome of any formal disciplinary meetings in writing.
- The right of appeal against any formal disciplinary action.

6. SUMMARY OF RESPONSIBILITIES

EMPLOYEES

Post Office requires all employees to:

- Take a reasonable and respectful approach to their work, customers and fellow colleagues.
- Ensure that they understand what standards are expected of them and seek advice where in doubt.
- Do their best to meet the appropriate standards.
- Ensure that if they intend to call relevant witnesses during an

investigation, if possible they give advance notice to their manager.

Employees charged with a criminal offense should notify Post Office as soon as possible. Employees are not required to let Post Office know about minor offenses such as traffic offenses (unless this may impact them carrying out duties of their role).

MANAGERS

Post Office requires all managers to:

- Set a good example.
- Ensure that appropriate standards are communicated to their team(s).
- Develop a culture where employees are supported and assisted in achieving and maintaining the required standards of conduct.
- Manage failure to meet these standards in accordance with the process and principles explained in this policy.
- Consult [My HR Help](#) for advice and support before any disciplinary action is taken. My HR Help will not make a decision on the outcome, this responsibility lies with the manager.

It is recommended that line managers undertake employee relations training.

HUMAN RESOURCES

- To provide timely professional advice to employees and managers on the implementation of this policy and procedure.

7. REQUIRED STANDARDS

This section of the code provides a guide to the standards of conduct we require from all employees.

Personal conduct

Employees must maintain a high standard of personal conduct including efficiency, reliability, integrity, sobriety,

punctuality and attendance. Employees must also follow reasonable instructions from their manager.

Respect for other colleagues

Employees must maintain a high standard of conduct in relation to all other colleagues and treat them with respect and courtesy. They must pay particular attention to the requirements of our [Equality, Diversity & Inclusion](#) and [Dignity at Work](#) policies. They have a responsibility to protect the health and safety of other colleagues.

Respect for our customers and clients

Our customers and clients are a major priority - we aim to provide an excellent service to both. So it's essential that our employees treat them with respect at all times.

Protecting business resources

Our reputation for reliability and integrity is a key element of the service we provide. Employees are therefore required to make sure that the Post Office property, resources and funds aren't used for improper purposes.

Protecting information

Employees are responsible for protecting access to confidential information and for making sure it's not disclosed without proper authorisation. One aspect of this involves observing the security procedures that apply to computer systems and making sure business and personal information stays confidential.

Protecting business interests

Employees must openly declare any outside employment. Any job outside the Post Office mustn't go against our commercial interests or bring the Post Office into disrepute. Employees must avoid any activity which conflicts with

their duty to the Post Office and must make sure that their actions aren't improperly influenced by personal considerations.

Legal basis for standards

It's important to note that there's a clear legal basis for many of our standards.

The relevant legislation can be found in:

- Health and Safety at Work Act 1974
- Equality Act 2010
- Data Protection Acts 2018
- Fair Employment (Northern Ireland) Act 1989
- Employment Rights Acts 1996 and 1999

Other relevant documents

Employees should refer to several other relevant documents to help them observe the correct internal procedures, for example:

- [Code of Business Standards](#)
- Counter Operations Manual
- [Equality, Diversity and Inclusion policy](#)
- [Travel and Expenses policy](#)
- [Dignity at Work policy](#)
- [Health and Safety policy](#)
- [Smoking policy](#)

This code and related guidelines are about conduct not capability.

Capability

Where individuals are incapable of performing to the required standard due to a lack of competence or because of health problems, other more appropriate processes will be used. For example:

- [Performance Improvement – Branch CSC](#)
- [Managing Underperformance – Non managers](#)
- [Improving Performance - Manager Trial \(probation\)](#)
- Losses and Gains Procedure

- Tachograph Infringement Monitoring Process

8. INFORMAL APPROACH

The vast majority of conduct issues will be managed informally not requiring formal disciplinary action. Post Office believes that it is in the best interest of all involved if informal coaching or guidance as to the required standard can be given at the time. The objective of any such action is to help the employee improve. Therefore, the informal procedure would be followed unless the informal action doesn't result in the required standard of conduct and the offence is repeated or the misconduct is so serious that the immediate use of a formal approach is called for.

The below examples of **misconduct** should be dealt with informally. Persistent or more serious examples should be dealt with under the formal procedure.

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

Note: Where an employee arrives late for genuine reasons, such as domestic or travel difficulties, the lateness should normally be excused and therefore disregarded for conduct purposes. Late attendances of less than 5 minutes will also normally be disregarded unless they become persistent.

The aim of this approach is to help the employee to understand and achieve the

standards we require. The right word, at the right time and in the right way may be all that is needed to resolve the situation. Sometimes the employee may not be aware that their conduct or behaviour is unsatisfactory.

The purpose of an informal discussion is for the manager and the employee to resolve the issue without needing to use the formal process.

The approach to the informal discussion should be sympathetic and supportive, and focused on improvements required.

Informal discussions should include:

- Constructive comment, concentrating on the problem to be solved, providing examples.
- The employee's reasons for not maintaining the required standard, encouraging the employee to give their point of view.
- Communication of standards - where employees need to know what is expected of them.
- Counselling, where employees need more specific guidance and encouragement.
- Identify any initial actions that can be taken by the employee or the manager.
- A reminder of the services of the Occupational Health service if required.
- Making the employee aware that the informal approach can lead to the formal procedure if the required standard/improvement is not achieved.

9. FORMAL APPROACH

Formal disciplinary action will only be taken in cases where informal action does not result in the required standard of conduct, or where misconduct is so serious as to warrant immediate use of the formal procedure.

For the purpose of this policy 'working days' are defined as the days employees work Monday – Friday.

9.1. THE RIGHT TO BE ACCOMPANIED

At all investigations and formal disciplinary meetings, employees have the right to be accompanied by a Trade Union Representative or work colleague.

If the employee's representative is unable to attend the meeting, the employee is able to postpone the date of the disciplinary meeting by up to 5 working days from the original meeting date. This revised date must be agreeable to the company.

If an employee is disabled, it may be appropriate to allow them to be accompanied by a suitable person because of their disability, in addition to any chosen representative.

The representative or companion can observe, provide active support or act on behalf of the employee - but it's important to ensure the employee is given every opportunity to respond to questions personally.

It is the employee's responsibility to ensure the attendance of their representative at meetings.

An employee can choose not to be accompanied at a formal disciplinary meeting; this should be recorded in the notes of the meeting. Similarly, the person asked to accompany someone at a disciplinary meeting can decline that request.

9.2. AUTHORITY LEVELS

- The first line manager is responsible for communicating and supporting employees in maintaining standards and investigating instances of alleged misconduct.

- Disciplinary meetings where a formal warning could be issued should be carried out by the second line manager or a manager at an equivalent grade (who is not the investigating manager, minimum 2a).
- Disciplinary meetings which could result in a final warning or dismissal will be carried out by the second line manager (minimum 3b).
- Appeals against a formal warning will be heard by next in line (usually 3rd line manager) - or someone of equivalent level - who has had no previous involvement with the case.
- Appeals against all other conduct penalties will be heard by an independent appeals manager outside the line (minimum Band 3A).

It's important that whoever handles a case can take an independent and objective view. Sometimes it will be necessary for a case to be handled out of the line so that this objective approach is possible; for example, where a case involves an allegation of abusive behaviour towards the line manager.

It is important to manage cases correctly as mismanaged cases can result in being viewed as unfair and consequently overturned at appeal or by an Industrial Tribunal

9.3. INVESTIGATION

When an employee's misconduct appears to call for formal action, the first step is for the line manager to investigate the case.

The purpose of an investigation is to establish a fair and balanced view of the facts relating to any conduct allegations against the employee concerned, before deciding whether to proceed with a formal disciplinary meeting.

The employee will be informed as soon as possible as to the fact of an investigation so as to give the employee

reasonable time to prepare for the investigation. They will also be informed as to when it has been concluded.

The amount of investigation required will depend on the allegations and will vary from case to case. It may involve speaking to any witnesses, reviewing relevant documents, CCTV evidence, evidence from Horizon or call recordings. (Please note that this is not an exhaustive list).

Whilst it may be appropriate to use CCTV for a specific time frame when an alleged breach of the conduct code has occurred, this should not lead to a manager reviewing footage not relevant to the specific allegation under investigation. If CCTV evidence is used this should be used as per the CCTV Code of Practice and Deployment Policy.

The employee will be invited to attend an investigatory meeting so that they have the opportunity to provide an explanation. The employee should be given reasonable time to prepare for any meeting.

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

An employee can choose to be accompanied to the investigation meeting by a work colleague or Trade Union representative.

Following the investigation the manager should consider the information available and decide whether:

- the case should be closed as the explanation from the employee is accepted;
- dealt with informally; or
- if the explanation is not accepted and the investigating manager considers that a formal warning, final warning

or dismissal may be appropriate, to proceed the case to a formal meeting to be heard by an independent manager (2nd Line manager).

9.4. PRECAUTIONARY SUSPENSION

Sometimes it may be necessary to suspend an employee from duty to allow for the issue to be investigated thoroughly, or as a precaution against possible further misconduct. This may be necessary where there is evidence of:

- dishonesty;
- violence;
- harassment, or
- intoxication

This is not a definitive list - there may be other circumstances where it's advisable to suspend the employee.

Where a period of suspension with pay is considered necessary, this period will be as brief as possible and will be kept under review. It will be made clear that the suspension is not a disciplinary action.

When an employee is suspended, their pay won't be stopped.

Suspension may be authorised by an employee's line manager or other manager of equal standing.

If an employee is suspended then that suspension must be kept under review; initially for 2 working days and then on a weekly basis. The review should take into account the seriousness and the continued risk to the business. It is important that all cases of precautionary suspension only last as long as necessary. If investigations are expected to exceed 10 working days employees should be kept updated on expected timeframes and status of suspension.

9.5. NOTICE OF THE FORMAL DISCIPLINARY MEETING

Where upon completion of an investigation, there are reasonable grounds to believe that an employee has committed an act of misconduct that can-not be dealt with informally, the second line manager will review the initial investigation to establish whether there is a case to answer by the employee.

It's important that the meeting manager can take an independent and objective view. Sometimes it may be necessary for the case to be handled out of the line where the second line manager has been involved in the investigation or was involved or was a witness to the alleged incident.

If it's considered that there is a case to answer the second line manager will write to the employee setting out the disciplinary allegations. They will invite the employee to a formal meeting with them, to provide the opportunity to respond to the allegation. The employee will be given at least 3 working days' advance written notice of any disciplinary meeting they will be asked to attend.

The employee will be advised of the purpose of the meeting, they will be given a clear statement of the allegation made against them, stating in detail what they are alleged to have done, and the potential outcomes. In cases of potential gross misconduct the employee will be advised that dismissal without notice is a possible outcome.

Evidence to be used at the meeting will be provided in advance for the employee to review. This will be shared at the time the employee is invited to the disciplinary meeting.

Where the employee is unable to attend a disciplinary meeting and provides a good reason for failing to attend, the

meeting will be rearranged to another day (normally within 5 working days of the original meeting date). Post Office will give at least 3 working days' advance notice of the rearranged meeting. Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged meeting to a mutually agreeable time, the rearranged meeting may take place in the employee's absence.

9.6. DURING THE DISCIPLINARY MEETING

The employee has a right to be given a full explanation of the case against them. They will be permitted to set out their case and answer any allegations. The employee will be given a reasonable opportunity to ask questions and present evidence. They will also be given the opportunity to raise points about any information provided by witnesses.

In some cases a manager may need to investigate further before making a decision. If further relevant evidence comes to light during this investigation it will be made available to the employee for comment before a final decision is made. Where this evidence is significant it may be necessary for the formal disciplinary meeting to be reconvened at the request of either party. If further information is gathered, the employee will be given a reasonable period of time, together with their representative to consider the new information prior to the reconvening of the disciplinary meeting.

Following the meeting the manager should consider the information available and decide whether the case should be closed as the explanation from the employee is accepted, dealt with informally or if the explanation is not accepted, decide to issue a formal penalty.

Once a decision has been made the employee will be informed in writing

normally within 5 working days and advised of their right of appeal.

10. DISCIPLINARY PENALTIES

Formal action in line with the disciplinary policy will always be notified in writing.

The penalties are outlined below:

10.1. FORMAL WARNING

Where conduct fails to meet acceptable standards, or further minor offences have been committed by an employee who has received guidance as part of the informal approach, the employee will normally be given a 'Formal Warning' by the manager.

The employee will be advised of the reason for the warning and the improvement/behaviour required.

A formal warning will remain on an employee's record for a period of up to but no more than 6 months.

10.2. FINAL WARNING

In the case of:

- a very serious offence where a formal warning would be inappropriate;
- a repeat of the misconduct for which the formal warning was given during the active period of a current warning;

a final warning may be warranted and issued by the manager.

If a final warning is appropriate, the employee will be informed that if further acts of misconduct occur, a potential consequence could be procedural dismissal (dismissal with notice).

A final warning will remain on an employee's conduct record for a period of up to but no more than 12 months (up to 2 years in cases of dishonesty).

The term 'final' doesn't mean that the employee will automatically be dismissed for further misconduct - further investigation will take place and a decision taken in the light of all the circumstances. In some cases it may be appropriate to issue another final warning.

10.3. FINAL WARNING WITH TRANSFER

Where a final warning is issued it may also be necessary to take further action. This is limited to a transfer within the area. This should only be considered where it's clearly necessary in the interests of the Post Office, the employee or other colleagues.

A disciplinary transfer cannot lead to a loss of earnings and pension entitlement. A full account should be taken of any personal hardship before a transfer is imposed.

The transfer will be permanent and the final warning will remain in force for up to 12 months (up to 2 years in cases of dishonesty).

10.4. SUSPENDED DISMISSAL

Suspended dismissal is action short of dismissal.

Suspended dismissals remain in force for up to but no more than 12 months from the date of issue and any further breach of conduct during this period could potentially result in dismissal.

The normal procedures would apply in establishing whether any further breach had occurred, and the employee would be given clear notice in the subsequent invitation to a disciplinary meeting that dismissal was a possibility.

10.5. PROCEDURAL DISMISSAL

Dismissal may be appropriate where a repeated issue has occurred during the

active period of a final warning which merits disciplinary action.

If a decision to dismiss is taken the employee will be dismissed with notice or with pay in lieu of notice.

With the exception of cases of gross misconduct, no employee should be dismissed for a first breach of conduct.

10.6. SUMMARY DISMISSAL

The procedure also provides for summary dismissal - that is, dismissal without notice - where cases of misconduct are serious enough to justify this.

Summary dismissal (dismissal without notice) will only be used for serious cases which are regarded as gross misconduct.

Summary dismissal will take effect from the time of the manager's decision and payment will cease immediately.

Holidays will be payable to the employee, up to the date when the decision to dismissal took place, however, no period of notice or payment in lieu of notice will be given

Where an employee appeals against dismissal, and the outcome of such an appeal leads to the reinstatement of an employee they will receive backdated payments for the period since dismissal within their next salary payment.

11. GROSS MISCONDUCT

It's not possible to provide a definitive list of behaviour which would be viewed as gross misconduct. However, the following examples would normally be considered as such and so may lead to summary dismissal

- 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.
- Indecent conduct on Post Office premises.
- Criminal acts against the Post office, its colleagues 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.

N.B. This list is not exhaustive nor prescriptive, nor is it in any order of seriousness.

12. RIGHT TO APPEAL

Employees have the right to appeal against action taken against them during the formal disciplinary procedure.

If an employee wishes to appeal against a formal or final warning they should notify the disciplinary manager that they will be appealing the decision and complete the Appeal Form on [SuccessFactors](#).

If an employee wishes to appeal against a dismissal outcome they must notify the disciplinary manager that they will be appealing the decision and notify HR.appeals@postoffice.co.uk in writing using the Appeal Form.

Appeal forms should to be submitted within 5 working days of receiving the written confirmation of the disciplinary decision. The appeal should clearly state the basis on which the appeal is to be

made and whether the employee is appealing against the findings or against the level of disciplinary action imposed.

An appeal against a 'formal warning' will be heard by an independent manager. This will be the third line manager - or someone of equivalent level - who has had no previous involvement with the case. Sometimes it may be necessary for a case to be handled out of the line .Appeals against other formal penalties will be heard by an independent appeals manager outside the line (minimum Band 3A).

The employee will be entitled to be accompanied to this appeal meeting by a work colleague or a Trade Union representative. Where an employee requests their right to be accompanied at the meeting and the accompanying individual is unable to attend on the date given, the employee has up to 5 working days to rearrange the meeting to a reasonable time convenient to the company.

At the appeal meeting the employee must be given the fullest opportunity to explain why they are appealing against the decision and will have an opportunity to comment on any evidence collated before a decision is taken.

As an appeal is a rehearing of the case, the manager hearing the appeal can find the case against the employee proven, but disagree with the original penalty.

The appeal manager's options under the Conduct Code are to:

- confirm the original penalty;
- reduce it; or
- uphold the employee's appeal and find no case to answer.

The outcome of the appeal will be confirmed in writing to the employee normally within 5 working days of the appeal outcome being communicated.

Where an employee has been summarily dismissed without notice and the appeal manager upholds the original dismissal penalty, Post Office will be under no obligation to reinstate or pay the employee for any period between the date of the original dismissal and the appeal decision (the original date of termination will stand). In the event that the decision to dismiss is overturned, the employee will be reinstated with immediate effect and they will be paid for any period between the date of the original dismissal and the successful appeal decision. Their continuous service will not be affected.

An appeal will never be used as an opportunity to punish the employee for appealing against the original decision. Any disciplinary penalty imposed will be reviewed during the appeal but it cannot be increased.

The appeal manager's decision is final - and there are no further internal processes to dispute an appeal decision.

An employee can lodge a grievance if they feel that the appeals manager has not followed the correct appeals process.

13. CRIMINAL OFFENCES

The fact that an employee has been charged, remanded in custody or convicted of a criminal offence outside of employment will not be regarded as an automatic reason for dismissal or other disciplinary action. The main consideration in determining whether disciplinary action should be taken is whether the circumstances and the alleged offence render the employee unsuitable for their type of work and/or which has the effect of bringing the Post Office into disrepute.

Appropriate action will not normally need to await for the outcome of criminal proceedings and will depend on the facts of the case after conducting an investigation.

14. DISCIPLINARY ACTION AGAINST UNIONS REPRESENTATIVES

This policy applies equally to union representatives.

Where disciplinary action is being considered against a union representative the case will be referred to the Head of Employee Relations and managed in accordance with the Collective Engagement Framework.

15. ACCESS TO INFORMATION

Employees who are subject to the disciplinary procedure have a right to see all the evidence used in judging the merits of their case prior to any disciplinary or appeal meeting.

Employees need a reasonable amount of time to consider the evidence in order to be in a position to challenge or comment on it when responding to a disciplinary allegation or making their appeal. Employees will be given a minimum of 3 working days' notice of any disciplinary or appeal meeting. They will be given the evidence (including any witness statements) no later than at the beginning of this period.

Where written statements from witness form part of the evidence against an employee, these will also be made available. In cases where a witness wishes to remain anonymous through fear of reprisal or intimidation, the contents of any witness statements will be re-written to prevent identification of the witness. Any amendments or omissions will be the minimum to prevent their identification. The statement provided to the employee will be sufficiently detailed for them to understand precisely what has been alleged against them.

Case information (letters, evidence, meeting minutes etc.) should only be provided to the employee concerned,

unless the employee agrees for these to be shared with their representative.

Note: In order that employees may be protected from others making deliberate false accusations, witnesses should be reminded that such action will be treated as serious misconduct.

16. EQUALITY, DIVERSITY AND INCLUSION

At Post Office we are committed to the importance of promoting equal opportunities, valuing diversity and creating an inclusive working environment for all our employees. We are committed to an environment in which each employee is able to fulfil their potential and maximise their contribution.

Post Office aims to secure equality of opportunity in all its activities, and in this respect, the disciplinary procedure must be objective, clear, transparent and free from discrimination. Post Office will ensure that the application of this policy does not discriminate employees on the basis of; age, disability, gender reassignment (including, gender identify, gender expression), marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnic or national origins), religion or belief, sex or sexual orientation.

This policy will be applied and monitored in accordance with the Post Office [Equality Diversity and Inclusion Policy](#).

17. RECORDS

All formal disciplinary action, from the initial investigation through to the outcome of any appeal, will be fully documented.

A complete file of the original paperwork should be kept on the employee's personnel file. These records will be retained in accordance with the applicable data protection legislation. Records of a warning will be removed at the point in time when the penalty has expired.

Post Office does not permit anyone to make electronic recordings of any meetings conducted under this procedure.

18. REVIEWS

The Employee Relations team will monitor compliance of this policy.

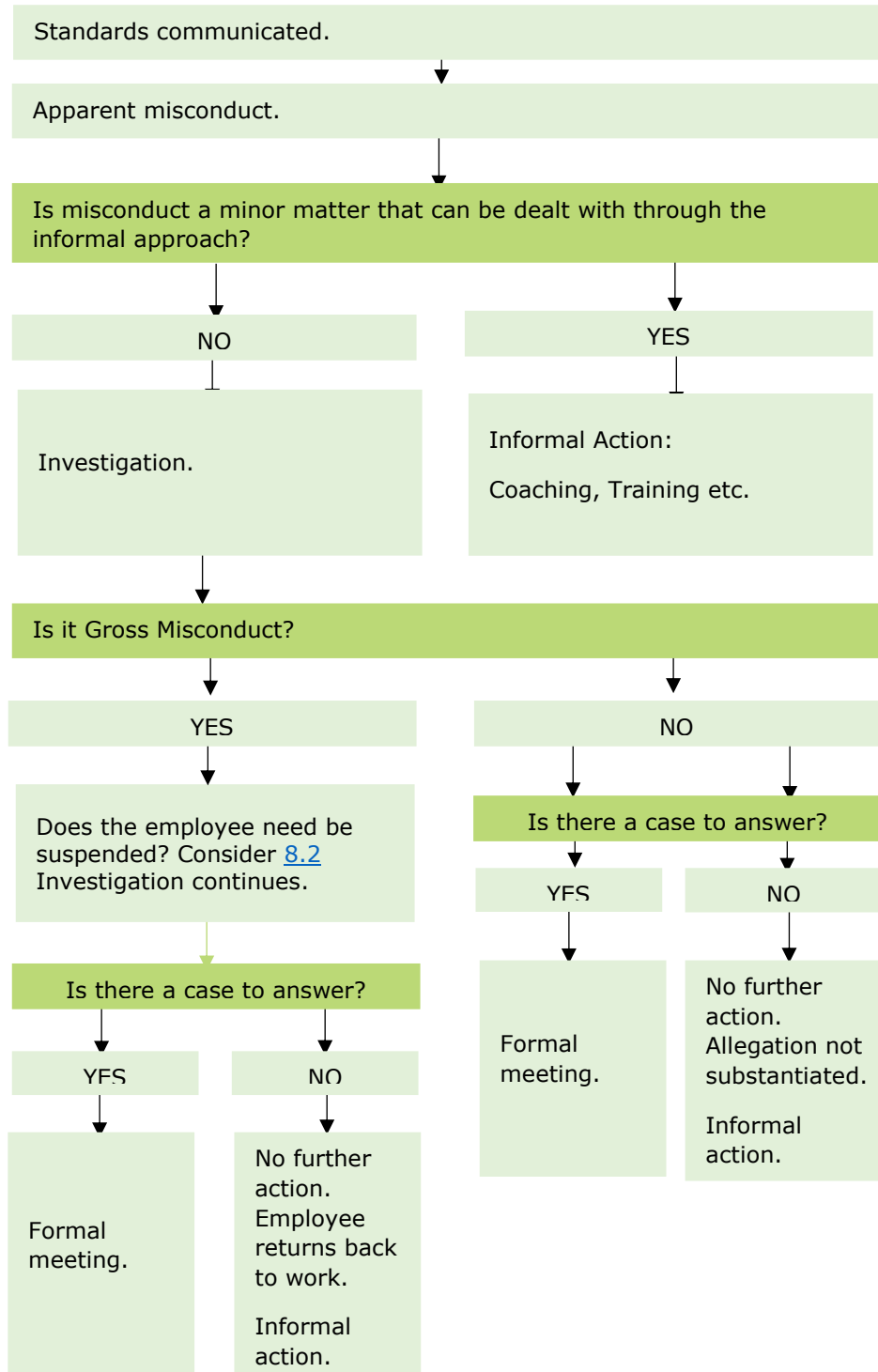
The Employee Relations and Policy Director is responsible for the monitoring, revision and updating of this policy.

Formal reviews will take place every 12 months in conjunction with our unions to identify any trends and opportunities for improvement.



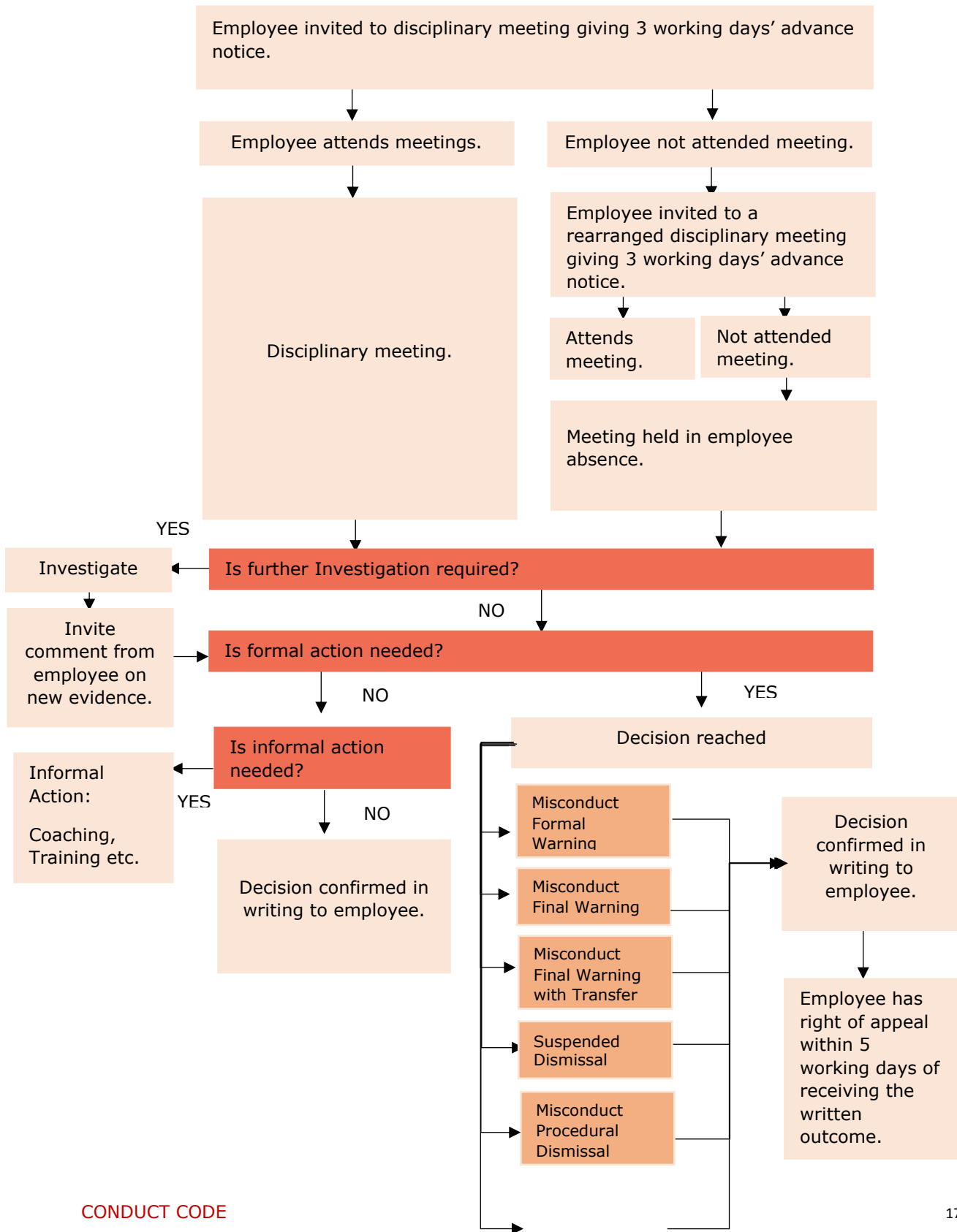
APPENDIX 1 – DISCIPLINARY PROCEDURE

INFORMAL / INVESTIGATION PROCEDURE



FORMAL PROCEDURE

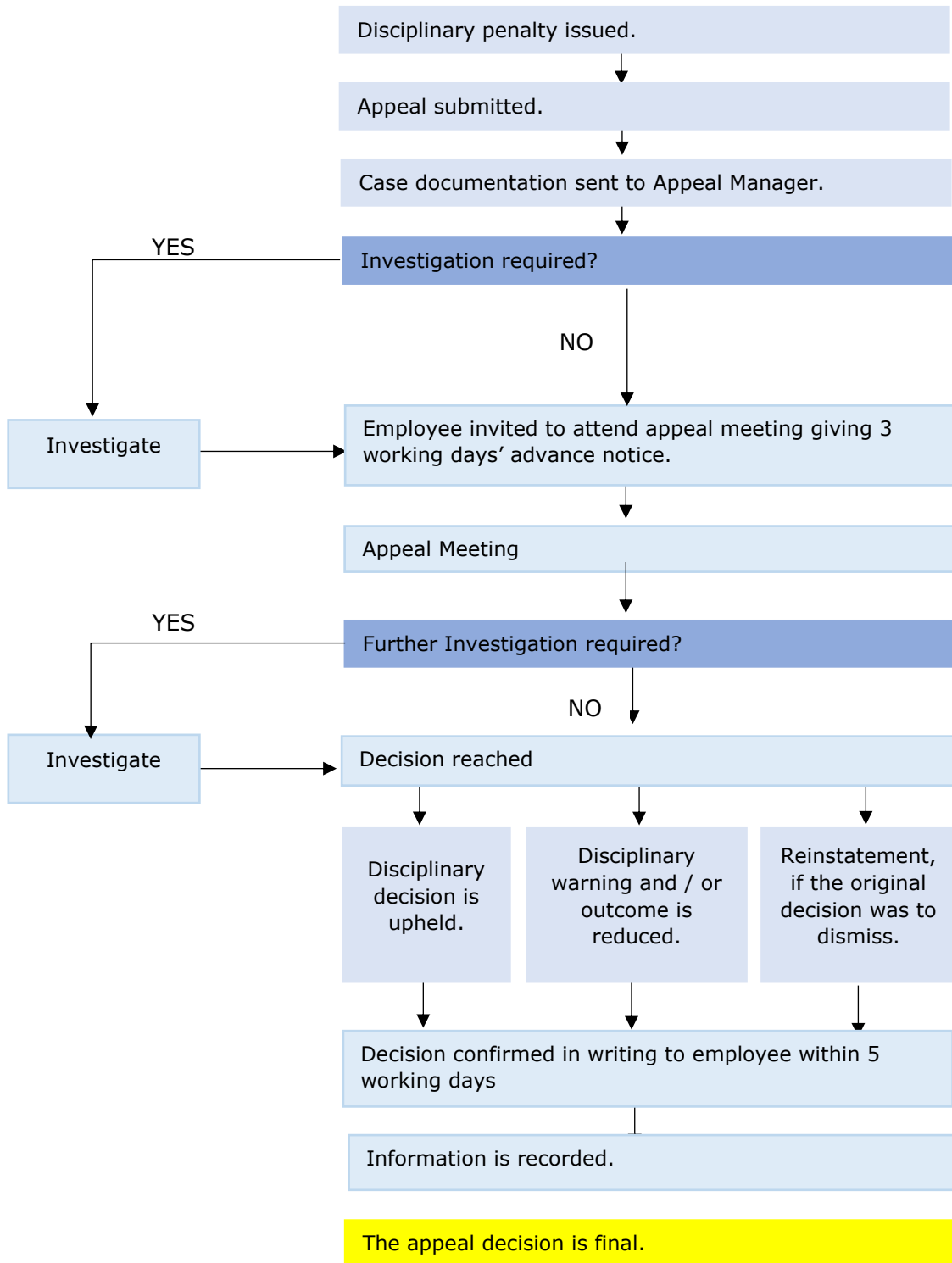
If there are delays in the process the manager needs to ensure that the employee is notified of these with an update on the expected timeframes.



APPEAL PROCEDURE

Gross misconduct
Summary Dismissal

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



DOCUMENT CONTROL RECORD

SUMMARY			
GE Policy Sponsor	Policy Owner	Policy Implementer	Policy Approver
Group HR Director TBC	Employee Relations and Policy Director Lee Kelly	Employee Relations Manager Janene Mellor	Group HR Director TBC
Version	Document Review Period	Policy – effective date	Policy location
1	Annual	16/12/19	UK

REVISION HISTORY			
Version	Date	Changes	Approved by

DOCUMENT DISTRIBUTION STATUS			
Distribution	Mark x as appropriate	Document Sensitivity	Mark x as appropriate
Internal	x	Non-sensitive	x
External		Sensitive	

QUALITY STATEMENT	
Quality Control	Next Review Date
<p>This document is periodically reviewed, and at least on an annual basis starting from the last effective date.</p> <p>This policy has been reviewed against the latest Post Office policy standards and legislative requirements.</p>	Dec 2020

