

Disciplinary Procedure

We expect our employees to meet high standards of conduct. Non-compliance with Company policies or procedures may result in disciplinary proceedings. Minor departures from our standards may be dealt with informally to avoid the need to engage this procedure. Nevertheless, we recognise that there will be occasions when informal action is not appropriate and in such cases this policy will be implemented. This policy will not usually be applied in the first two years of an employee's employment.

This policy does not form part of your contract of employment and may be altered or amended at the absolute discretion of the company. We may start this procedure at any stage. We may, at our discretion, use an external third party to carry out any part or parts of this procedure.

This procedure is designed to deal with misconduct or poor performance.

Investigation

An investigation may be undertaken prior to any disciplinary action, during which you may be invited to an investigatory meeting. You must fully co-operate with any investigation. If you are invited to an investigatory meeting, there is no right to be accompanied although we may allow you to do so.

The purpose of an investigatory meeting is for the Company to discuss issues of misconduct or poor performance and decide whether any further action should be taken.

The outcome of the meeting may be as follows:

- No further action to be taken
- Informal action
- Suspension
- Invitation to a disciplinary hearing.

Informal action

- If informal action is to be taken, a discussion of your conduct or performance issues will take place, with an emphasis on encouraging and facilitating improvement. Any informal action will be confirmed in writing and recorded on your personnel file. If there is no improvement, formal disciplinary action is likely to follow. There is no right of appeal when informal action has been taken.

Suspension

- If appropriate, we may suspend you on full pay.
- If you are suspended, your contract of employment will remain in force, but you will not be entitled to access any of our premises or IT systems except at our prior request or with our prior consent and subject to such conditions that we may impose.
- If you are suspended, you may be required to return any work equipment that we have provided to you, including laptop and mobile phone while the suspension is in place.

Invitation to a disciplinary hearing

- If it is decided that there is a disciplinary case to answer, you will be informed of this in writing.
- You will be invited to attend a disciplinary hearing.
- You are entitled to be accompanied to a disciplinary hearing by a workplace colleague or a trade union representative.
- You will be given the opportunity to state your case before any decision is made.
- The chair of the hearing may decide the issue at the hearing or adjourn the hearing to consider their findings.
- In considering what action is appropriate, mitigating factors, the gravity of the breach of discipline, your work record, and any other relevant factors will be taken into account.
- You will be informed of the decision in writing.

Appeals

- If you are dissatisfied with the outcome of the disciplinary hearing, you may appeal. If you wish to appeal you must do so within seven calendar days of the date of the outcome letter (or where no letter is issued, the date you were informed of the decision).
- An appeal should be in writing and must set out the grounds for your appeal along with any accompanying documentation.
- You will be informed of to whom you should appeal when you are given the disciplinary outcome.
- At an appeal hearing, you are entitled to be accompanied by either a workplace colleague or a trade union representative.
- The outcome of the appeal will be conveyed to you in writing. The appeal decision will be final.

Misconduct

Examples of misconduct are:

- Occasional and minor poor timekeeping
- Minor breaches of our rules
- Minor failure to observe our procedures.

These examples are not exhaustive or exclusive. Offences of a similar nature will also be dealt with under this procedure.

Misconduct, short of gross misconduct, will, depending on severity, normally result in a written warning. A written warning will normally remain on your personnel file for one year from the date of issue, although this will depend on the seriousness and circumstances of the misconduct.

Gross Misconduct

Examples of gross misconduct are:

- unauthorised absence
- theft, fraud and bribery (giving and receiving)
- falsification of records
- breaches of confidentiality or trust
- physical violence or threatening behaviour
- serious insubordination
- failure to obey a reasonable management order
- deliberate or reckless acts of damaging company property or property of another person
- serious breaches of company policies or procedures
- bringing yourself or the company into disrepute
- acting in a manner which undermines the trust and confidence in the employment relationship
- bullying, victimisation and/or harassment towards an employee, or external representative of another organisation
- being under the influence of alcohol (including below the drink drive limit) and/or consuming alcohol during working hours, unless authorised by the management team
- possession and/or use/being under the influence of illegal drugs or legal highs
- negligence or incompetence that causes loss, damage or injury or a serious risk of injury
- serious breaches of health and safety regulations
- covert recording.

These examples are not exhaustive or exclusive and offences of a similar nature may be dealt with as gross misconduct. Gross misconduct will normally result in dismissal without notice or payment in lieu of notice.

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