

1. Purpose of the procedure

The Company aims to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when Company rules are breached. Throughout any disciplinary process, International Associates shall abide by the applicable local legislation in force at the time and location of the incident.

2. Company Rules

The guiding principles within the Company are courtesy, honesty and consideration for all with whom we have dealings and delivering on our commitments. Behaviour that goes against these principles breaks the Company's rules, jeopardises the Company's and its staff's future, and if not addressed, may result in disciplinary action.

- Timekeeping: Staff are expected to be on time for work and appointments with others and make every effort to inform those affected when unavoidably delayed.
- Dress Code and personal appearance: Staff are expected to dress appropriately and groom for work.
- Performance/Incompetence: Staff are expected to take all steps within their power to perform their duties to achieve their objectives.
- Smoking: The Company has a no-smoking policy, which includes premises and company vehicles.
- Use of company property & facilities: Staff are expected to look after company property as they would their own and to use facilities only for company business.
- Noncompliance with company policies.

3. Principles

If you are subject to disciplinary action:

- The procedure is designed to establish the facts quickly and consistently deal with disciplinary issues. No disciplinary action will be taken until the matter has been thoroughly investigated;
- At every stage, you will be advised of the nature of the complaint, be allowed to state your case, and be represented or accompanied by a fellow employee of your choice;
- You will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will typically be dismissal without notice and without pay in lieu of notice;
- You have a right to appeal against any disciplinary action taken against you;
- The procedure may be implemented at any stage if your alleged misconduct warrants such action.
- If you request, you have the right to be accompanied at a disciplinary hearing by a fellow worker or trade union official.

4. Investigation

Formal investigations should be carried out by the most appropriate manager who is not directly involved with the incident being investigated. This manager may involve others to assist with the investigation process. All the relevant facts should be gathered promptly as soon as is practicable after the incident. Statements should be taken from witnesses at the earliest opportunity. Any physical evidence should be preserved and/or photographed if reasonable to do so.

5. Informal discussions

Before any formal disciplinary action is taken, your manager will make every effort to resolve the matter through informal discussions. The formal disciplinary procedure should only be implemented where this fails to bring about the desired improvement.

6. First warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded but disregarded after six months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently severe, for example, because it is having, or is likely to have, a seriously harmful effect on the organisation, it may be justifiable to move directly to a final written warning.)

7. Final written warning

If the offence is serious, or there is no improvement in standards, or if a further violation of a similar kind occurs, a final written warning will be given, which will include the reason for the warning and a note that if no improvement results immediately, action, as set out below, will be taken.

Dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

8. Statutory discipline and dismissal procedure

If an employee faces dismissal – or action short of dismissal such as loss of pay or demotion – the minimum statutory procedure will be followed. This involves:

- Step one: a written note to the employee setting out the allegation and the basis for it
- Step two: a meeting to consider and discuss the allegation
- Step three: a right of appeal, including an appeal meeting. The employee will be reminded of their right to be accompanied.

9. Gross misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the expected consequence will be dismissal without notice or payment in lieu of notice:

Theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination, and violation of the code of ethics.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after a full investigation.

10. Appeals

If you wish to appeal against any disciplinary decision, you must appeal in writing within five working days of the decision being communicated to you and to the Managing Director. If possible, a senior manager who was not involved in the original disciplinary action will hear the appeal and decide the case as impartially as possible.



Martin Coles

Operations Director of International Associates Limited

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