

Disciplinary Policy

Scope: This policy applies to all the business divisions within the AG Barr Group

This policy does not form part of your contract of employment and be amended at any time.

Purpose: To set agreed standards of behaviour that are expected of all colleagues and to provide a framework setting out how we can maintain satisfactory standards of conduct.

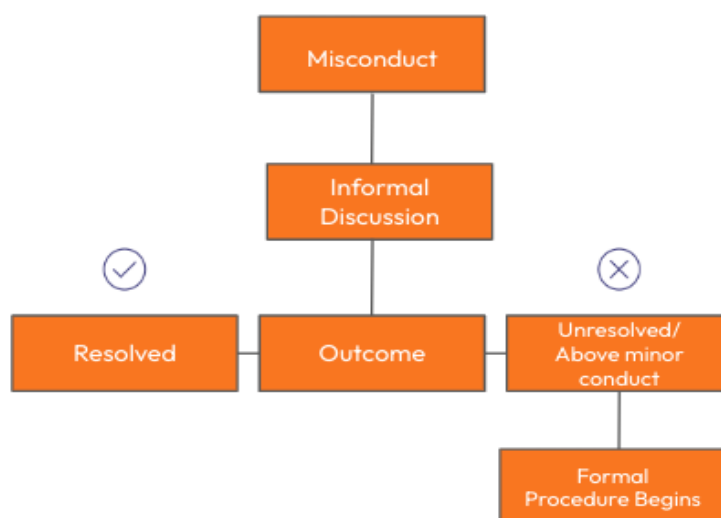
Why Do We Need This?: Behaviour that constitutes misconduct can have an impact on morale, wellbeing and performance. In order to encourage and maintain good behaviours, as well as providing support to all colleagues, this policy is intended to provide guidance on how cases of misconduct should be managed.

1. THE INFORMAL PROCESS

If there are minor concerns about your conduct, a discussion will take place between you and your people leader in the first instance. This discussion will be held in private and the aim of this dialogue is to resolve the matter without the need for a formal procedure.

Where appropriate, you may be given a verbal warning and a written note of the discussion may be placed on your file (usually for a period of 6 months), but this will not be taken into account in any future disciplinary hearings.

If the matter cannot be resolved through informal discussion or if the conduct concerned is such that an informal discussion would not be appropriate, the formal procedure will be followed.



2. THE FORMAL PROCESS

2.1 Investigation

An investigation will be conducted to establish the facts and to decide whether there are reasonable grounds for the matter to proceed to a disciplinary hearing. The amount of investigation required will be decided on a case-by-case basis and can include taking statements from colleagues and any other relevant witnesses.

Investigative interviews are for fact-finding - no disciplinary warnings are issued at this stage. There is no automatic right to be accompanied at an investigation meeting, however you may be accompanied by a companion if it helps you to overcome any disability or any difficulty in understanding English.

2.2 Hearing

If the investigation concludes that there are grounds to progress the matter to a disciplinary hearing, you will be sent a written invite to attend a disciplinary hearing. This will give you reasonable notice of the date, time and location of the hearing.. The letter will also include details of the allegations, the basis of the allegations and the potential outcome of the hearing. Where relevant, copies of any documents and witness statements will also be provided.

The purpose of the disciplinary hearing is to go through the allegations and any evidence against you. The hearing is also an opportunity for you to present your own evidence, to respond to questions, and to ask questions yourself.

2.3 Outcome of Hearing

After the disciplinary hearing has taken place, you will be informed of the outcome in writing. Each case will be assessed on a case-by-case basis. The table below sets out the usual penalties for misconduct.

Penalty	What for?	How long does this usually last?
Stage 1 - Verbal	Where the misconduct is deemed more serious than minor	6 months
Stage 2 - Final Written	Used when there is an active written warning, or the conduct is deemed serious enough to warrant a final written.	12 months
Stage 3 - Dismissal	Appropriate for misconduct during probationary period, misconduct where there is an active final written warning on your record or any gross misconduct (examples of gross misconduct are set out below).	Gross misconduct will usually result in immediate dismissal without notice or payment in lieu of notice (summary dismissal).
Alternatives to dismissal	In some cases we may at our discretion consider alternatives to dismissal (e.g. demotion or transfer to another department or job).	Subject to discretion

2.4 Appeal

Appeals should be made by written submission, which should include the grounds on which the appeal is being made. Appeals should be made within 5 days of receiving the confirmation of the level of warning. Following the appeal process, the original decision may stand, a different outcome may be applied, or the original decision may be entirely revoked.

If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the appeal is successful, you will be reinstated with no loss of service or pay.

An outcome letter will be issued with the outcome of the appeal, usually within 14 days. Thereafter, there will be no right to appeal further.

You should make every effort to attend the meetings which form part of the disciplinary process. The meetings are conducted by an appropriate people leader and another person who has not been involved in the case in the role of notetaker. Failure to attend could be treated as misconduct in itself. If there are health issues or long-term absence factors, please let the people leader holding the meeting know as soon as possible.

2.5 Right to be accompanied

For disciplinary hearings and appeals, you may bring a companion with you. This can be another colleague or a trade union representative. Please note that although you may request someone to be present, the companion may not wish to attend and can decline this request. We may advise that you ask someone else if appropriate i.e., the requested companion is under investigation too. In terms of your companion's role, they may make representations to us and ask questions but should not answer questions on your behalf. You may confer privately with your companion at any time.

2.6 Suspension

In some circumstances, you may be suspended from work while the disciplinary process is ongoing. If you are suspended from work, you will continue to receive your basic salary and benefits.

2.7 Gross Misconduct

This refers to behaviour that is so serious that it irreversibly damaged the relationship between the colleague and the Company. Gross misconduct will normally lead to dismissal without notice and without pay in lieu of notice.

Examples of gross misconduct include, but are not limited to, theft, neglect of duties, causing damage, or being charged and convicted of a criminal offence that may affect our reputation.

3. BEHAVIOURS

The table below outlines what is expected of those involved in the formal disciplinary procedure.

People Leader	Colleagues
Conduct all investigations and hearings with fairness	Be open and honest, and attend any relevant meetings such as those forming part of investigations and hearings
Conduct all meetings in a timely manner	Treat all information given as confidential
Ensure all relevant documentation, such as letters about meetings, is sent to colleagues	If you cannot attend the meeting, you should notify the People Leader immediately to rearrange
Be familiar with the disciplinary procedure and where to locate relevant templates - People Leader Resources and Policy Portal	Notify HR if you have any concerns or difficulties throughout the process.

4. PRIVACY

Disciplinary proceedings will always be handled with respect and fairness, and will be held in confidence.

Anyone who is supplying evidence to the proceedings will usually be named unless the Company believes that their identity should not be disclosed.

Unless otherwise agreed at the outset of a meeting or hearing, you (and anyone accompanying you) must not make electronic recordings of any meetings or hearings conducted under this procedure, whether these meetings or hearings are conducted in person, by telephone, or using remote working platforms or technologies.

Last Reviewed : October 2024	Last Updated : September 2024
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