

OFFICE MANUAL, SECTION 13

DISCIPLINARY AND GRIEVANCE PROCESS

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REVISION TABLE

Revision	Date	Comments
1	19/05/2017	First Issue
2	17/05/2020	Expanded section on competencies of Investigating Officer
3	20/05/2021	Minor re-formatting
4	11/07/2023	Policy extended to include disciplinary and grievance processes. Policy title amended; section on 'Employee protection' removed
5	04/07/2025	Revised sections 5.1 and 5.2. New sections 4 and 6
6	06/07/2026	Expanded section 1, 4.1 Process principles moved to new section 2 New section 3.2, 6.2c Minor re-wording in section 3.5, 3.6, 4.3, 4.4

1. DISCIPLINARY AND GRIEVANCE POLICY STATEMENT

Robert Walpole and Partners (RWP) is committed to treating all its employees fairly and objectively. For this reason, a standardised process for handling disciplinary actions and grievances has been developed to ensure a satisfactory outcome is reached whenever possible.

Any investigations must be suitably objective and as independent as reasonably practicable to ensure that any potential system and management failures are considered. The investigative process will follow recognized industry standards and relevant procedures to arrive at the most impartial outcome. This process can be applied to any case where an investigation is required.

This policy applies to all employees of Robert Walpole and Partners, regardless of length of service. Temporary staff and agency workers undertaking work on behalf of RWP are expected to observe the standards of conduct described in this policy; however, any concerns regarding their conduct or performance will be addressed with the individual's employing agency, and the formal disciplinary and grievance procedures set out in this document do not apply to them. This policy does not form part of any employee's contract of employment and may be amended by the Partners from time to time.

Progress in implementing this policy will be reviewed annually by the partners.

Signed: M. J. Walpole

M. J. Walpole
Partner

Date: 2026-07-06

2. DISCIPLINARY AND GRIVANCE PROCESS PRINCIPLES

Principles guiding implementation of this policy are:

- a) Informal action will be considered, where appropriate, to resolve problems.
- b) No disciplinary action will be taken against an employee until the case has been fully investigated.
- c) For formal action, the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case at a disciplinary meeting before any decision is made.
- d) Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- e) At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
- f) No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will be dismissal without notice or payment in lieu of notice.
- g) An employee will have the right to appeal against any disciplinary action.
- h) The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

3. DISCIPLINARY PROCEDURE

3.1. First stage of formal procedure

This will normally be either:

- a) **an improvement note for unsatisfactory performance** if performance does not meet acceptable standards. This will set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept on employee's file but will be considered spent – subject to achieving and sustaining satisfactory performance.
- or
- b) **a first warning for misconduct** if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept on employee's file, but it will be disregarded for disciplinary purposes after a period specified within the warning.

3.2. Disciplinary hearing

Where formal action is considered, the employee will be invited in writing to a disciplinary hearing, normally with at least three working days' notice. The invitation will set out the nature of the allegations, the possible consequences, the right to be accompanied, and will enclose copies of any evidence and witness statements to be relied upon. Wherever practicable, the hearing will be conducted by a manager or Partner not previously involved in the investigation. The employee will have a full opportunity to respond to the allegations, present evidence and call relevant witnesses. If the employee fails to attend without good reason, the hearing may proceed and a decision may be made in their absence; where good reason is given, the hearing will normally be rearranged once.

The chosen companion may be a fellow worker or a trade union representative. The companion may address the hearing to put and sum up the employee's case and confer with the employee but may not answer questions on the employee's behalf. If the companion is unavailable at the proposed time, the employee may propose an alternative time within five working days of the original date, and the hearing will be postponed accordingly.

3.3. Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve performance during the currency of a prior warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept on employee's file but will be disregarded for disciplinary purposes subject to achieving and sustaining satisfactory conduct or performance.

3.4. Dismissal or other sanction

If there is still further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer.

Dismissal decisions can only be taken by the appropriate senior manager, and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept on employee's file but will be disregarded for disciplinary purposes subject to achievement and sustainment of satisfactory conduct or performance.

3.5. Gross misconduct

The following list provides some examples of offences which are normally regarded as gross misconduct:

- a) theft or fraud
- b) physical violence or bullying
- c) deliberate and serious damage to property
- d) serious misuse of an organisation's property or name
- e) deliberately accessing internet sites containing pornographic, offensive or obscene material
- f) serious insubordination
- g) unlawful discrimination or harassment
- h) bringing the organisation into serious disrepute
- i) serious incapability at work brought on by alcohol or illegal drugs
- j) causing loss, damage or injury through serious negligence
- k) a serious breach of health and safety rules
- l) a serious breach of confidence.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than five working days, while the alleged offence is investigated. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be instant dismissal without notice or payment in lieu of notice.

3.6. Appeals

An employee who wishes to appeal against a disciplinary decision must do so within five working days. Appeals will be heard, wherever practicable, by a Partner or senior manager not previously involved in the case, and his/her decision is final. At the appeal, any disciplinary penalty imposed will be reviewed.

4. GRIEVANCE

4.1. Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your manager. You may be able to agree a solution informally between you.

Where appropriate, and with the agreement of those involved, the company may propose mediation by an independent third party or a trained internal mediator as a means of resolving workplace disputes, including grievances and allegations of bullying or harassment. Mediation is voluntary and without prejudice to either party's right to pursue the formal procedures set out in this policy.

4.2. Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your manager. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against your manager and you feel unable to approach him or her you should talk to another manager or the business owner.

4.3. Grievance hearing

Your manager will arrange a meeting, normally within five working days, to discuss your grievance. You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting the manager will give you a decision in writing, normally within five working days.

If it is necessary to gather further information before making a decision your manager will inform you of this and the likely timescale involved.

4.4. Appeal

If you are unhappy with your manager's decision and you wish to appeal you should let your manager know.

You will be invited to an appeal meeting, normally within five working days, and your appeal will be heard by a more senior manager (or the company owner).

You have the right to be accompanied by a colleague or trade union representative at this meeting if you make a reasonable request.

After the meeting the manager (or owner) will give you a decision, normally within five working days. The manager's (or owner's) decision is final.

5. BULLYING AND HARASSMENT

Robert Walpole and Partners is committed to fostering a respectful, inclusive and safe working environment. Any employee who experiences or observes inappropriate behaviour, bullying, discrimination, harassment, or misconduct is encouraged to raise their concern promptly and constructively through one of the following channels:

- a) Their line manager or team lead
- b) A business partner
- c) Trusted colleague or [Charlotte Fenlon](#) (designated confidential contact)
- d) Our [Virtual Suggestion Box](#)

Employees will not be penalised for raising concerns. All disclosures will be taken seriously, handled with discretion, and treated with respect. All concerns will be handled through the formal procedures outlined in this policy.

6. INVESTIGATION PROCESS

6.1. Investigating Officer

Details of the Concern should be communicated to business Partner(s) in a first instance. If the situation calls for gathering more information via an investigative process, the Partner(s) will nominate an Investigating Officer, either internally or externally, who will complete the investigation and report findings to the relevant parties. All investigations will be initiated without undue delay and completed within a timescale commensurate with the issue being investigated. The scale and depth of any investigation will be proportionate to the seriousness and potential impact of the concern. More serious or high risk matters may require broader consultation to ensure full understanding of systemic issues.

Investigating Officer should:

- a) have sufficient knowledge or experience in an area of the business that the investigation relates to.
- b) where possible, be a member of a professional body in accordance with their specific discipline.
- c) have at least 5 years' experience in a management role.

Note that the reason for completing an investigation is referred to as a 'Concern' in this document, even though such a reason may not be inherently negative in nature.

6.2. Investigation steps:

- a) Full details and clarifications should be obtained from the individual or group raising the Concern
- b) If the investigation involves a complaint against one or more members of staff, the Investigating Officer should inform those staff as soon as is practically possible. The members of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provisions of this procedure. If deemed appropriate, the Investigating Officer will consider the involvement of the Police at this stage.
- c) In certain circumstances, for example where there is a risk to people, property or the integrity of an investigation, an employee may be suspended from work while an investigation is carried out. Suspension will be on full pay, will be kept as brief as possible and will be reviewed regularly. Suspension is a precautionary measure only; it is not a disciplinary sanction and does not imply any assumption of guilt or pre-judgement of the outcome.
- d) The Concern should be fully investigated by the Investigating Officer with the assistance, where appropriate, of other individuals / bodies. All information should be made freely available to the Investigating Officer, including confidential data as long as the Partners are notified and it is relevant to the Concern.
- e) Where a Concern may fall under the remit of an external regulator, the company will cooperate fully with any external investigations and comply with applicable reporting requirements.
- f) A judgement of the Concern will be made by the Investigating Officer and documented in a written report. This report will outline the findings of the investigation, the reasoning behind the judgement, and any recommended actions to be taken as a result. If confidential data has been considered during the investigation, it may be referenced in the report but not detailed, in accordance with the Data Protection Act.
The report will be made available upon request and for auditing purposes if required.
- g) The company Partners will decide what action to take using the investigation report as guidance. If required, they will invoke either internal or other appropriate disciplinary procedures.
- h) The individual or group raising the Concern should be kept informed on the progress of the investigation and, if appropriate, of the final outcome.

- i) At the conclusion of each investigation, any identified recommendations, corrective actions, or broader learning points will be reviewed by the Partners. Appropriate steps will be taken to ensure that necessary improvements are implemented and learning is shared across relevant parts of the business.

7. DEFINITIONS

Table 1: Explanation of key terms

Name	Definition
Grievance	In law, a grievance is a formal complaint raised by an employee against their employer, alleging a violation of workplace rules, policies, or employment contracts. It signifies a situation where an employee feels they have been wronged or treated unfairly by the employer, impacting their employment conditions or work experience. In short, a grievance is generally an employee complaint about their rights and entitlements.
Bullying	Although there is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either: a) offensive, intimidating, malicious or insulting. b) an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone [ACAS]. A bullying complaint will be made if an employee is the victim of 'repeated' inappropriate behaviour, physical, verbal or otherwise.
Harassment	In discrimination law (Equality Act 2010) there are 3 types of harassment: a) harassment related to certain 'protected characteristics' b) sexual harassment c) less favourable treatment as a result of harassment d) It's possible that serious harassment could also be a hate crime. [ACAS]