



Very Important People Services

DISMISSAL POLICY AND PROCEDURE

Title: Dismissal Policy

Purpose: To provide information and guidance on how dismiss staff fairly.

Policy: VIPS is committed to treating all employees consistently and fairly. The purpose of this policy is to set out rules so that the employee is clear about the way in which VIPS will address situations where staff dismissal is required. VIPS expects employees to maintain the highest standards of performance and behaviour at all times whilst in the employment of the company. However, there may be times when VIPS has to dismiss a staff member. In this instance, VIPS will deal with dismissals fairly, consistently and as speedily as possible.

Scope: This policy contains information and guidance from

- Acas Code of Practice 1: Disciplinary and grievance procedures (2015)
- Acas Guide: Discipline and grievances at work (2019)

Managers should check guidance from relevant bodies on a regular basis to ensure they are up-to-date with the latest information about staff dismissal and amend this policy and its procedures accordingly. Staff are expected to adhere to this legislation through implementation of its policy and procedures. We will treat all disciplinary matters in confidence in the first instance.

Dismissal Procedure

1. If VIPS has any concerns about any aspect of the employee's performance, they may raise this with the employee on an informal basis in the first instance, although this might not always be possible. For example, the issue might be sudden and too serious to address informally.
2. Whenever there is an allegation that might lead to dismissal, VIPS will investigate the allegation thoroughly before taking any action.

3. If the allegation is sufficiently serious to warrant dismissal, VIPS will write to the employee setting out the allegation. The letter will give the employee sufficient information to prepare for a disciplinary meeting. The letter will also invite the employee to a disciplinary meeting. This will be at a time and location where the employee is usually at work.
4. A colleague or trade union representative can accompany the employee to any disciplinary meeting. If the employee is under 18 years or is disabled and the disability affects the employee's ability to understand and respond to the disciplinary meeting, then an appropriate carer can accompany the employee.
5. At the disciplinary meeting, Loraine Stock will explain the allegations. They will give the employee the opportunity to ask questions about the allegations. The employee should then respond to the allegations. When all those present have made all their representations, the manager will decide whether to dismiss the person or not.
6. If VIPS decides not to dismiss the employee they may issue a disciplinary warning instead as follows:
 - The first level of warning will be a formal verbal warning. This will remain on the employee's record for 6 months.
 - If the employee does not improve during that period, Loraine Stock will issue a further warning. This will be a formal written warning and will remain on the employee's record for 6 months.
 - If during that period the employee does not improve, Loraine Stock will issue a final written warning. This will remain on the employee's record for 12 months.
7. If the employee does not improve during the period of the final written warning, VIPS will dismiss the employee. In this instance, the notice periods stated within the employee's terms and conditions of employment will apply and pay will be given accordingly. In the case of redundancy, statutory redundancy payment figures will apply.
8. If the acts committed by the employee amount to gross misconduct, the employee will usually be suspended on full pay whilst VIPS investigate the matter.
9. VIPS will invite the employee to a disciplinary hearing to discuss the situation. If VIPS finds the employee has committed an act which amounts to gross misconduct, the sanction will usually be summary dismissal (dismissal without notice). Examples of gross misconduct (this list is not exhaustive) include:
 - Breach of confidentiality of the service user or company

- Theft including, but not limited to, the removal of VIPS property, the property of another employee, or from a service user's property
 - Fighting, unprovoked physical violence, abusive language, or conduct that is hostile or disrespectful towards VIPS staff, managers or owners or the service user, their family, carers or significant others.
 - Disregarding established health and safety procedures or knowingly creating an unsafe work situation for self, co-workers, service users or their family.
 - Unauthorised use or dissemination of company or service user information
 - Violating VIPS equal opportunity or harassment policies
 - Unauthorised use or malicious damage to VIPS property or premises
 - Improper personal behaviour
 - Fraudulent use of VIPS or service user's money or property
10. VIPS reserves the right to give a final written warning without having issued a formal verbal or written warning in situations where the employee has committed a serious act, but the company has decided not to dismiss.
11. The employee has the right to appeal against all disciplinary action. Employees must appeal in writing within 5 days of receipt of the written confirmation of the disciplinary sanction. Wherever possible, Loraine Stock and Jonathan Stock will hear the appeal together.