

Appeals Procedure

The following sets out the appeals procedure for The Workshop Wisbech Ltd. This procedure covers the process for raising appeals against a decision that has been made. Should an employee feel that proper process has not been followed or that a decision was not made in accordance with regulations you may appeal to the Managing Director via one of the following methods:

Call: 01945 580111

E-mail: workshopboss@aol.com

Write to: 23 The Horsefair, Wisbech, Cambridgeshire, England, PE13 1AR

(Should you wish to appeal against a decision made after a complaint has been investigated then please refer to our Complaints Procedure).

When you contact us, please give us your full name, contact details, and include a daytime telephone number along with:

- A full description of your appeal (including the subject matter and dates and times if known);
- Any names of the people you have dealt with so far;
- Copies of any papers or letters to do with the appeal; and
- Any other factors for consideration such as any extenuating circumstances that you either did not address at the time or believes that were raised but were not taken into consideration when the decision was made.

Appeals will be investigated and a review panel may be formed in order to reach a decision. We aim to investigate and respond to appeals within 14 days.

This will be the final route of escalation within our company. Therefore, if you remain unhappy after following our own internal appeals procedure then please contact : **ACAS on 0300 123 1100**

Bullying / Harassment / Victimisation

The Workshop is committed to provide a work environment free from unlawful bullying and harassment. We believe that it is crucial that all employees treat each other with dignity and respect in order for them to work effectively and confidently. We seek to encourage employees to behave in an appropriate manner at all times. Any complaint made will be treated seriously, sensitively and confidentially.

Anyone using threatening, abusive or insulting language or behaviour, displays of writing, sign or other visible representation with intent to cause another person alarm or distress will be immediately reprimanded.

Harassment can include age, sex, disability, gender, race, religion, sexual orientation and more. If you feel you are a victim, please let us know immediately and we will investigate.

If bullying/harassment continues please see the HR Manager to try to resolve and make a written complaint if necessary. A thorough investigation will be undertaken.

If it is concluded that if any unlawful bullying/harassment/victimisation has occurred, remedial action will be taken. This will be a disciplinary offence.

If this continues it may be necessary to report to the police, who in turn may use the Protection from Harassment Act 1997, the Anti Bullying Act 2012 and The Equality Act 2010 to pursue matters further.

If you do not want to disclose your name you can phone the national bullying helpline on **0845 2255787** to report any matter you feel concerned about. This will be dealt with immediately.

Complaints Procedure

The Workshop take all complaints extremely seriously and all staff are trained and committed to rectify any problem as soon as it is brought to their attention.

Therefore, we ask that if you are dissatisfied with the service you have received that you bring this to our attention as soon as possible by speaking to your Controller in the first instance.

Should this fail to provide you with a satisfactory resolution, or you feel it is inappropriate to address your complaint to your controller then please contact the HR Manager in the office on 01945 580111.

When you contact us, please give us your full name, contact details, and include a daytime telephone number along with:

A full description of your complaint (including the subject matter and dates and times if known);
Any names of the people you have dealt with so far; and
Copies of any papers or letters to do with the complaint.

The Workshop ask that you raise your complaint as soon as possible after the event so that we have the opportunity to investigate fully.

The HR Manager will investigate your complaint and respond to you within 14 days.

If you are still unhappy with the way your complaint has been dealt with you have the right to contact the Managing Director

Please ask for a copy of our appeals procedure which will outline the next steps you need to take, along with contact details.

Disciplinary Procedure

The Workshop follows the ACAS code of practice for matters relating to disciplinary. There is a course of action that will be followed should an employee of The Workshop cause concern by any action, or failure to act which may result in a breach of contract or in the performance of their duties.

Misconduct

Examples of misconduct include, but are not limited to –

- Mistreatment of Company property
- Poor attendance, lateness, poor job performance
- Disruptive behaviour
- Failure to obey rules

Gross Misconduct – Instant Dismissal

Any misconduct which brings The Workshop into disrepute.

This may be, but not limited to the following whilst at work -

- Fighting or assault on someone
- Abusive, or threatening behaviour
- Physical violence
- Consuming, or being under the influence of liquor or drugs
- Fraud
- Theft
- Gross negligence in your duties
- Bullying
- Harassment
- Discrimination
- Damage to property
- Serious lack of care to duties or other people (gross negligence)
- Serious insubordination, -refusing to take lawful and reasonable order from a supervisor
- Contravention of company / Health & Safety rules

You have the right to be accompanied to any disciplinary hearing by either a work colleague or a member of a trade union if applicable. You must notify The Workshop in writing of whom you wish to be present as soon as possible.

Stage One – Verbal Warning

In the event of misconduct or in the event that an employee's performance falls below the standard expected, a verbal warning will be given. This verbal warning will set out the nature of the misconduct or performance failure and shall detail what remedial actions are expected in order for the employees to satisfy the HR Manager that their performance or conduct remains at a satisfactory level. Full support and counselling will be given by The Workshop and its Managers to the employee in order to ensure the worker's performance or conduct.

Stage Two – Written Warning

In the event that there are continued misconduct or performance failures a written warning will be issued. This warning letter shall contain a statement that if there is further misconduct or performance failures it could result in suspension or dismissal. This will be placed on your personnel file for a period of six months.

Stage Three – Final Written Warning

In the event that misconduct, or performance expectations have still not been met after agreeing remedial action in stage one and two, the result could be dismissal of the employee.

Dismissal

If after adequate warning the decision is reached to dismiss the employee, the employee shall be issued with a formal dismissal letter detailing reasons for the dismissal and details of final pay.

Gross Misconduct

In the event that gross misconduct occurs, as deemed by the Company, the employee shall be immediately suspended pending investigation upon which the employee shall be invited to a disciplinary hearing which may result in their dismissal.

Right to Appeal

If disciplinary action occurs there will always be a right to appeal any decision made. Appeals shall be made in writing to the HR Manager where an investigation shall be carried out by an appropriate member of The Workshop management team. A decision will then be taken as to whether the disciplinary action shall stand. (See appeals procedure)

Drug & Alcohol Policy

The consumption, selling or buying of alcohol or illegal drugs whilst at work is strictly forbidden. This is deemed as an act of gross misconduct which disciplinary action will be taken and could lead to instant dismissal.

Misuse of drugs and alcohol can lead to reduced productivity, absenteeism and accidents at work, as well as being detrimental to your health. We aim to ensure employees carry out their duties safely without putting themselves, and colleagues at risk.

If you are prescribed drugs by a medical professional, it is your responsibility to inform us.

The Workshop, or the company you are working at reserves the right to random test employees for alcohol and drugs use.

Refusal (unless you have reasonable grounds) will be taken as an attempt to conceal your misuse of alcohol/drugs.

If you are found to be under the influence whilst at work, you will be removed immediately from site and disciplinary action will be taken.

EQUAL OPPORTUNITIES POLICY

The Workshop recognizes that we live in a society where discrimination still operates to the disadvantage of many groups in society.

The company believes that all persons should have equal rights to recognition of their human dignity, and to have equal opportunities to work.

We are committed to the promotion of equal opportunities within the workplace.

The objective of this policy is that no person should suffer or experience less favorable treatment, discrimination or lack of opportunities on the grounds of gender, race, color, nationality, ethnic origin, religious or philosophical beliefs, health status, HIV status, age, marital status, parental status, sexual orientation, political beliefs or trade union membership, class, responsibility for dependents, physical attributes, ex-offender status as defined by the Rehabilitation of Offenders Act 1974, lack of formal qualifications where such qualifications are not formally required, or any other grounds which cannot be shown to be justifiable within the context of this policy.

This policy will influence and affect every aspect of activities carried out at The Workshop as determined by the management.

In the provision of services and the employment of staff, we are committed to promoting equal opportunities for everyone. We will treat all people equally.

We expect all our employees to abide by the policy and help create the equality environment which is its objective. We will communicate the policy to employees.

All staff are expected to conduct themselves in a professional and considerate manner always. The Workshop will not tolerate behaviour such as:

making threats, physical violence, shouting, swearing at others, persistent rudeness, isolating, ignoring or refusing to work with certain people, or any other forms of harassment or victimisation.

Unacceptable behaviours are considered to be disciplinary offences within The Workshop and can lead to disciplinary action being taken. We do however, encourage staff to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for staff who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

Equality & Diversity

Our policy falls in line with the Equality and Diversity Act 2010.

The Workshop embraces equality and diversity and will seek to promote the benefits of both in all of our business activities. We will seek to develop a business culture that reflects that belief. We will seek to widen the media in which we recruit to ensure as diverse an employee and candidate base as possible. We will strive to make sure that our clients meet their own diversity targets.

We committed to equality and diversity and will promote such for all employees, workers, learners, applicants and any member of the public and shall adhere to such a policy at all times. We will review on an on-going basis all aspects of recruitment to avoid unlawful or undesirable discrimination.

We will treat everyone equally irrespective of –

sex
sexual orientation
gender reassignment
marital or civil partnership status
pregnancy/maternity
age
disability
colour, race, nationality, ethnic or national origin
religion or belief
political beliefs or membership or non-membership of a Trade Union or spent convictions

and places an obligation upon all staff to respect and act in accordance with the policy.

We are committed to providing training for anyone in equal opportunities practice.

The Workshop shall not discriminate unlawfully when deciding which employee is submitted for a vacancy or assignment, or in any terms of employment or terms of engagement for any worker. The Workshop will ensure that each candidate is assessed only in accordance with the candidate's merits, qualifications and abilities to perform the relevant duties required by the particular vacancy.

The Workshop will not accept instructions from clients that indicate an intention to discriminate unlawfully.

Grievance Policy

We are keen to provide a safe, positive and supportive working environment for all of our employees whilst not operating a culture of fear to report grievances.

Our aim is to resolve grievances quickly and effectively and to avoid any detrimental effects to anybody who works for us.

If you have a grievance, please speak to the HR Manager in confidence where an investigation shall be made into the grievance. If deemed necessary, the HR Manager shall take actions to resolve quickly and fairly and within a reasonable time frame to ensure any problems are addressed.

If you are not happy with the outcome you may pursue a formal grievance by putting your concerns in writing. You will be asked to attend a meeting, where you may be accompanied by a fellow worker if you wish. You will be notified of the outcome of this meeting in writing.

If we are unable to resolve a grievance or are not happy with the outcome, you are entitled to appeal the decision. Upon which investigations shall be made by an independent member of The Workshop management team who will notify you of their findings in writing.

You can contact ACAS on 0300 123 1100 if you are not happy with our decision.

Health & Safety

In line with the Health & Safety at Work Act 1974 employees are asked to observe the following –

While at work either on site, or within the confines of the office all employees have a duty to take reasonable care of their own health & safety. The Workshop will instruct all employees in health & safety, by video and training on induction

On-site training will be given by the Client. Employees must co-operate with the employer to ensure that all relevant duties/requirements are complied with whilst on-site. Wear protective clothing if relevant to work. Report any unsafe conditions and equipment or hazards immediately

To make themselves aware of Health & Safety procedures on site and if there was to be a fire to observe the fire exit signs and procedures.

The Workshop and any Customer that we use are insured with Employers Liability Insurance.

If you have an accident at work you MUST report it IMMEDIATELY. Any injuries or dangerous occurrences reported are recorded in the accident book and a statement taken from all parties. These are then reported on a F2508 form from the HSE if you are absent for more than a week

Holidays

Holiday year runs from 1st April – 31st March.

No holidays will be carried over to the next year

Holidays are calculated based on average weekly hours worked including overtime in the current holiday year (average weekly hours x 52) x annual entitlement of 28 days

Employees must provide at least four weeks written notice to take a holiday which should be done by completing a holiday form and submitting to their consultant.

Completing a holiday form does not constitute authorisation to take a holiday, holidays will only be approved subject to availability.

2 weeks must be taken by 31st August (if accrued)

1 week must be taken by 31st November (if accrued)

Remaining holiday must be booked before 28th February and taken by 31st March

Please book in advance for busy times ie August/December/March

Holidays can only be taken for holidays which have been accrued. It is the employee's responsibility to ensure this is complied with.

Maternity Policy

Any employee who satisfies all the qualifying conditions as set out by the Department for Work & Pensions shall be entitled to Statutory Maternity Pay (SMP). SMP will be paid for up to 39 weeks providing the following conditions have been met:

- The employee should be continuously employed for at least 26 weeks continuing into the 15th week before the week the baby is due
- Have average weekly earnings at least equal to the lower earnings limit for national insurance contributions

Maternity leave can start at the 11th week before the week the baby is due, provided that we are given 21 days notice of the Expected Week of Childbirth. (EWC)

Medical evidence of the date the baby is due must be provided in the form of a MATB1 form.

A minimum of two weeks must be taken off after the birth, which is extended to four weeks for factory workers, after which you have the right to return to work.

After maternity leave you will be entitled to return to work to the same, or broadly similar role.

Holiday pay will be accrued on any earnings or SMP payments paid during your Maternity Leave. Holidays must still be booked under the same process as any worker, by previous agreement with The Workshop and on completion of a holiday form.

Paternity Leave

If you are a father or share the responsibility with a partner for bringing up a child you may have the right to Statutory Paternity Leave and pay with the same qualifying conditions as above.

You can take up to two weeks off as a single block of time within two months of the birth up to 56 days after the birth. Notice to be given 28 days before you intend to take you leave.



Sickness

If you are unwell/sick please stay at home in the first instance and inform the office as soon as possible.

You may be eligible for Statutory Sick Pay provided that you meet the relevant criteria set out by the DWP or earn less than the Average Earnings Limit

If you are off for more than 4 days in a row, you will need to provide either a self-certification form or SSP1 form from your GP.

You will not be paid for the first 3 days of sickness

SSP is paid up to a maximum of 28 weeks

Before returning to work you need to provide a Fit to Work form from the Doctor and bring to the office when you are well enough to return to work

Depending on your contract you may need to complete a return to work form from the client

WORKERS HELPLINE

07760 178 089

This number is available to report any concerns you have yourself or about others. Anything said will be treated in the strictest confidence. We are keen to provide a safe, positive, and supportive working environment for all of our employees. Alternatively, please call in and speak to the HR manager to see if we can help you.

You can also call any of the numbers below to get advice and help

MODERN SLAVERY HELPLINE	08000 121 700
ACAS	0300 123 1100
CITIZENS ADVICE	0800 144 8848
BULLYING HELPLINE	0845 225 5787
GANGMASTER & LABOUR	
ABUSE AUTHORITY	0345 602 5020
CRIMESTOPPERS	0800 555 111
IN CASE OF EMERGENCY POLICE	999

Remember we are here to help you