

## INGDISCIPLINARY POLICY

### 1. Purpose and Scope

RA depends upon its employees to carry out its instructions and abide by acceptable and established rules of conduct and behaviour. In situations where it is alleged that an employee has fallen below the minimum standards of conduct and behaviour, then some action must be taken. Fortunately, on many occasions pointing out what has caused offence, discussing this with the employee concerned, and asking that there not be a repetition is all that is necessary.

There will be instances, however, where such informal counselling does not change the employee's behaviour, or a more serious breach of discipline may be alleged. It is in these circumstances where more formal disciplinary action needs to be taken.

Where this is the case, and to ensure consistency and fairness, such action needs to be undertaken within a general framework. This framework is the disciplinary procedure outlined in this policy and applies to all employees of RA.

All formal disciplinary action will be considered and undertaken within the following principles:

All employees will be made aware of the type of misconduct which may lead to formal disciplinary action. Annex A to this policy/procedure contains guidelines. All disciplinary matters will be dealt with as quickly as possible. Employees will be advised of the nature of the allegations.

No disciplinary action will be taken until all allegations have been investigated. At all stages of the procedure employees will be given the opportunity to explain their case fully, usually at a formal disciplinary interview or hearing. The employee will also have the right to submit any documentation which they wish to be considered. The employee will normally be given at least 3 calendar days' written notice of any such interview or hearing. In exceptional circumstances, such as an employee's refusal to attend a formal disciplinary interview, the matter may be considered in their absence. Except in cases of Gross Misconduct, no employee will be dismissed for a first breach of discipline. Employees will have the right to appeal against a written warning or dismissal within 3 working days on receipt.

### 2. Procedure

#### 2.1 GENERAL PROVISIONS

The procedure is intended to reflect good employment practice and does not confer any contractual rights on employees, although in certain circumstances it confers rights on the Company. So other than where indicated, this procedure does not have contractual effect.

This disciplinary procedure is intended to ensure that employees are dealt with fairly in relation to any alleged misconduct. In Operational areas where no immediate HR expertise is available, guidance is listed at Annex B which serves as due diligence and best endeavours until formal expert guidance can be provided.

This disciplinary procedure is not necessarily sequential and may begin at any stage, or advance to any stage, depending on the seriousness of the offence(s). In exceptional circumstances an employee's conduct outside of work may constitute grounds for disciplinary action where that conduct affects either the performance of his/her duties or the reputation of the Company.

In most cases of minor misdemeanours, or shortcomings, the matter can, and will, be dealt with

informally by the manager, without the need to utilise the more formal disciplinary procedure. There will be a two-way discussion between the employee and manager where the emphasis is encouraging and instructive in order to find ways to remedy problems through supervision, training, coaching, or counselling to enable the required standards to be achieved.

The employee's line manager or supervisor will keep a record of the agreed course of action and the timescale in which it will be achieved for reference purposes. Employees will be made aware, however, that if there is no improvement, or if the situation is more serious than originally thought, then the matter will be dealt with within the formal stages of the disciplinary procedure.

## 2.2 TYPES OF DISCIPLINARY ACTION - THE FORMAL STAGES

The Company has a contractual right to impose these disciplinary sanctions and these rights are therefore incorporated into all the contracts of employment of the company's employees.

Obviously, one outcome of the formal disciplinary process is that no action is to be taken against the employee. However, where some action is appropriate, then it may be in one of the forms set out below.

Decisions as to whether or not an employee's misconduct is sufficiently serious to constitute an act of Gross Misconduct and therefore justify their dismissal will depend upon the individual circumstances of each case.

## 2.3 WRITTEN WARNING(S)

Written warnings can be either 'standard' or 'final':

A standard written warning will state that any further occurrence of any act of misconduct may result in further disciplinary action which could eventually result in dismissal.

A final written warning will state any further occurrence of any act of misconduct, where relevant, may result in dismissal.

There is no obligation or requirement to issue a standard written warning before a final written warning is given, and an employee's first written warning may itself be a final written warning, if the employee's conduct is sufficiently serious to justify this. The template at Annex C to this policy offers guidance on the format required for written warnings.

## 2.4 DURATION PERIOD OF WARNINGS

Details of any formal warning given to an employee will be kept on that employee's personnel file and may be referred to in any subsequent disciplinary proceedings or action.

Standard written warnings shall normally expire after 6 months and 12 months for final written warnings. If it is intended to apply a longer duration period to any particular warning, the employee concerned will be informed of this when he/she receives written notification of the disciplinary decision following the disciplinary hearing. In very exceptional circumstances, the company reserves the right to apply an unlimited duration to the warning given, although the company will explain why this is the case to the employee and will review the duration of the warning on a regular six-monthly basis.

## 2.5 DISMISSAL

Dismissal on disciplinary grounds will normally only take place when one of the following actions have occurred:

- The employee has had formal disciplinary action taken against him/her previously and the cumulative effect of that employee's further act(s) of misconduct is sufficiently serious to justify their dismissal.
- The employee has been guilty of Gross Misconduct.

Decisions as to whether or not an employee's misconduct is sufficiently serious to constitute an act of Gross Misconduct and therefore justify their dismissal will depend upon the individual circumstances of each case.

## 2.6 DEMOTION/CHANGES OF TERMS OF EMPLOYMENT

As an alternative to dismissal, the company may consider it appropriate that the employee be demoted or provided with alternative terms of employment, including the offer of a position which has lower status and/or salary. This will normally be appropriate where the Company does not consider that the employee, as a result of his/her conduct, can be trusted to carry out the job he/she was employed to do, but there is still sufficient confidence in the employee to carry out an alternative employment, and the employee agrees to such changes. However, the company is under no duty to consider a demotion or change in terms of employment as an alternative to dismissal in all cases and has the absolute discretion to decide whether the sanction in this clause is appropriate in the particular circumstances.

## 2.7 SUMMARY DISMISSAL

In the event that an employee is dismissed, summarily (i.e. without notice) in extreme circumstances, for Gross Misconduct, then the company will implement the modified two-step dismissal and disciplinary procedure:

Step 1: The company will set down in writing the nature of the alleged misconduct that has led to the dismissal, the evidence for this decision, and the right to appeal against the decision and send a copy of this to the employee.

Step 2: If the employee wishes to appeal, then he/she must inform the company.

# 3. Disciplinary Process

## 3.1 INVESTIGATION

It is implicit in the operation of the disciplinary policy that any action taken against an individual (or individuals) is soundly based and follows an adequate and prompt investigation of the facts on which any allegation(s) is/are based, including all allegations of Gross Misconduct.

The exact procedure for this may differ depending on the circumstances of the case (for example whether the matter is complex or straightforward) and can possibly involve written statements being obtained from the members of staff concerned, (particularly witnesses to any incident or misconduct), an investigatory interview, or both. Should the employee who is, potentially, the subject of disciplinary action be invited to an investigatory interview, then they may be accompanied if they wish. Once the company has carried out a reasonable investigation, it will decide whether to drop the matter, deal with it informally, or arrange for it to be handled formally, in which case a disciplinary hearing will be convened. Where possible, the staff member investigating the matter will not be the staff member who leads the disciplinary hearing.

The Head of Human Resources will normally conduct all disciplinary hearings and will usually be accompanied by someone able to take notes and act as a witness to the proceedings. If the Head of

Human Resources is unavailable for operational reasons, then a suitable replacement of similar seniority will be nominated. This person will be regarded as the Senior Person conducting the hearing.

### 3.2 INVITATION TO ATTEND A DISCIPLINARY HEARING

The employee will receive a written invitation from the company, with at least 3 calendar days' notice, to attend a disciplinary hearing or where necessary a phone call. Where possible, the timing and location of the hearing will be agreed with the employee beforehand.

This invitation will include details of the nature of any allegations about his/her conduct, and the reason(s) why this conduct is not acceptable. If the employee has difficulty reading, or English is not their first language, the content of the letter will be explained to them orally and in order that they may fully comprehend the seriousness of the situation, he/she will be informed in writing of the possible outcome(s) of the hearing in advance.

Prior to the hearing, the employee will be told about the nature of any relevant statements and/or any other relevant evidence. If there are documents compiled before the disciplinary hearing, e.g. witness statements, then these will be exchanged with the employee before the hearing takes place. The employee will be informed, when given notice of the hearing, of the right to submit relevant documentation of their own for consideration at the hearing.

### 3.3 THE EMPLOYEE'S RIGHT TO BE ACCOMPANIED

Where an employee is invited to attend a formal disciplinary hearing then they have the right to be accompanied. This right is, however, restricted to a colleague and not someone acting in a representative capacity. Employees will be reminded of this right prior to attending any hearing, and if they wish to exercise this right, they shall be required to give the company at least 24 hours' notice of the name/status of the person who shall accompany them to the hearing.

An employee who cannot attend a hearing is required to inform the company in advance, wherever possible. If the employee fails to attend through circumstances outside of their control and unforeseeable at the time the meeting was arranged (e.g. onset of sudden illness) the company will arrange another meeting.

## 4. The Disciplinary Hearing

The purpose of the hearing is to hear both sides of the case and to reach a conclusion based on the evidence. The employee will be given the opportunity to state his/her case, ask questions, present evidence or invite witnesses of their own. If further investigation is required, the hearing will be adjourned and reconvened once this has been completed.

Someone able to take notes and act as a witness to the proceedings will normally accompany the manager conducting the disciplinary hearing and a written record of the proceedings may be made.

After the hearing the manager will consider all the facts, the employee's explanation, and any mitigating circumstances before coming to a decision. Due account will be taken of the employee's previous disciplinary and general record, actions taken in any previous and similar case, and, as a conclusion, whether the intended disciplinary action (if any) is reasonable having taken into account all of the circumstances.

The employee will be told of the outcome as soon as possible after the hearing, but generally not at the hearing, (unless the matter is straightforward, when an immediate decision is sensible and in the

interests of both parties) and any decision will then be confirmed to the employee in writing. Although every attempt will be made to do this on the same day, it should be understood that the need for a considered outcome is more important than speed, and those who are involved with conducting disciplinary hearings will take as long as is necessary, generally up to a maximum of 14 calendar days, to consider what, if any, disciplinary action is appropriate.

#### 4.1 RESULT OF A DISCIPLINARY HEARING

Where a standard written or final written warning is issued it will confirm:

- 4.1.1 The nature of the misconduct or complaint.
- 4.1.2 Details of the necessary action required to improve the situation, where appropriate, the conduct or performance expected, the periods of review, any agreed training to be provided, and any other supportive measures agreed upon.
- 4.1.3 The timescale agreed for the situation to be improved, where appropriate.
- 4.1.4 The likely consequences should there be a recurrence of the offence or any further breaches in the required standards of behaviour, including, in the case of a final written warning, a confirmation warning that dismissal will result if there is no satisfactory and sustained improvement.
- 4.1.5 Statement confirming a copy of the letter on the employee's personnel file will be disregarded after an agreed period of satisfactory service.
- 4.1.6 The right of appeal.

Where a dismissal is warranted, the letter will confirm:

- 4.1.7 Details of the complaint and reasons for dismissal (including the reasons for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct).
- 4.1.8 The effective date of termination and final salary/remuneration arrangements.
- 4.1.9 The right of appeal.

## 5. Employee's Right to Appeal

An appeal against a written warning or dismissal must be made within one week of receipt of the disciplinary letter, to the next level of management beyond the manager who made the original decision, (provided that such a person is available within the company's organisational structure).

#### 5.1 APPEAL PROCEDURE

The appeal must be made in writing, stating the grounds in which the employee wishes to appeal against the action. The appeal will normally be held within one week of receipt of the request. The employee concerned will have the right to be accompanied by a third party if he or she so chooses.

The Head of Human Resources will normally conduct all disciplinary hearings and will usually be accompanied by someone able to take notes and act as a witness to the proceedings. If the Head of Human Resources is unavailable for operational reasons, then a suitable replacement of similar seniority will be nominated. This person will be regarded as the Senior Person conducting the hearing.

The Senior Person conducting the hearing will have the necessary authority to overturn the previous decision. At the hearing, the employee will be given an opportunity to emphasize the grounds on which

the appeal is made. The disciplining manager will also have the opportunity to explain to the Senior Person hearing the appeal, the earlier decision to take disciplinary action.

The Appeal hearing is intended to focus on the issues which the employee believes have received insufficient consideration at the original hearing, any relevant new evidence which has come to light since the original hearing, or any concerns which the employee may raise, such as extenuating circumstances, bias, or unfairness during the disciplinary process. Where an appeal is against a decision of dismissal and the appeal fails, the effective date of termination shall be the date on which the employee was originally dismissed and the employee's employment with the company does not continue from the date of the original dismissal until the date when the appeal is made.

After the hearing, the Senior Person will consider all of the facts and issues raised by the employee and consider the reliability and fairness of the original decision and procedure. The appeal decision may be to quash, reduce, uphold or, in exceptional circumstances, increase the disciplinary measure originally taken. The appeal decision will be final.

The employee will be told of the decision as soon as possible after the hearing, although no decision will be made at the hearing, and the decision will be confirmed to the employee in writing. Although every attempt will be made to do this on the same day, it should be understood that the need for a considered verdict is more important than speed, and those involved in conducting appeals will take as long as is necessary to consider their decision, generally up to a maximum of 14 calendar days. The employee will be informed that this is the final stage of the appeal process.

## 6. Suspension

Depending upon the circumstances of the case, there may be occasions when it is considered undesirable for an employee to remain on duty pending a disciplinary hearing. The sole purpose of suspension from duty is to allow matters to be investigated and does not imply guilt on the part of the suspended employee, and is not considered a disciplinary action in itself.

A personal interview, where possible, will be arranged to advise an employee of the intention to suspend. At the time of suspension, the reasons for the suspension and, where established, the likely duration of the suspension will be notified to the employee and confirmed in writing as soon as possible.

In all cases involving the suspension of an employee, the employee will receive full pay.

Where it is indicated that a suspended employee must not enter the company's premises (or any associated premises) at any time, this condition must be adhered to unless prior permission to re-enter, for an agreed purpose, has been obtained. Re-entry without permission is considered an act of Gross Misconduct and may result in summary dismissal.

Investigations will take place as soon as is practicably possible and every effort will be made to identify, at the outset, the likely duration of the suspension which will be kept as short as reasonably possible. A suspended employee will be kept informed of any delay in the process and any reasons thereof.

No records will be kept of any suspension which does not lead to formal disciplinary action.

In particular, suspension from duty will normally apply when:

- 6.1.1 Gross Misconduct is suspected.
- 6.1.2 Violence has occurred, or it is reasonably believed that violence may occur.
- 6.1.3 It is considered that a cooling off period would help.
- 6.1.4 The employee is considered to be under the influence of alcohol or drugs, and it would be inadvisable to conduct an investigation or interview until the member of staff is no longer under the influence.

This list is indicative and is not intended to cover every eventuality.

## 7. Failure to Attend a Disciplinary Hearing

It is in everyone's interests that disciplinary matters are conducted with the minimum of delay. If an employee cannot attend a meeting then they should inform the company in advance, wherever possible. If the employee fails to attend through circumstances outside their control and unforeseeable at the time the meeting was arranged (e.g. illness) the company will arrange another meeting.

A decision may be taken in the employee's absence if they fail to attend the re-arranged meeting without good reason. If the employee chooses to be accompanied, and the companion cannot attend on a proposed date, the employee can suggest another date so long as it is reasonable and is not more than five working days after the date originally proposed, although this time limit may be extended in exceptional circumstances, by mutual agreement.

## 8. Termination of Employment - Repatriation

Employees are reminded that RA will return employees to their point of origin in the recruitment process as stipulated in the employment agreement. Personal belongings are the responsibility of the individual in terms of carriage under associated airline baggage restrictions. RA will not reimburse excess baggage or take responsibility for the shipping and carriage of accumulated items. In exceptional circumstances when individuals are released from an employment agreement whilst absent from employment area then RA will return belongings from that operational area up to an excess of 30kg only. A formal packing list will be provided to the individual as well as an approximate weight calculation by the associated HR representative.

## 9. Summary

Ideally, matters should be addressed before they even get to the stage of becoming disciplinary or grievance issues. Where possible, line managers should utilize their management skills to step in at an early stage, where they suspect conflict is growing between employees, or where an employee's performance, attendance, or behaviour shows signs of falling below acceptable standards. In many cases, early intervention by line managers will nip workplace disputes in the bud and prevent them from escalating to the point where the formal disciplinary procedure has to be used, or a grievance is lodged. If that's not possible, fair and transparent procedures stipulated in this policy should be used in accordance with best HR practice. Adopting this approach will almost always be less time-consuming and less likely to damage working relations. Where any doubt exists, all line managers are encouraged and advised to contact the HR Department for further advice.

RA will initiate a review of this policy as indicated.

  
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Soraya Narfeldt  
CEO

Policy Implementation/ Review Date	Next Policy Review Date
January-2026	January-2027



## ANNEX A - CONDUCT LIKELY TO INCUR DISCIPLINARY ACTION

The maintenance of an acceptable standard of behaviour and discipline is essential to the proper conduct of the RA's affairs. The following categories give an example of actions likely to give cause for disciplinary action. The list is not exhaustive, and may also be amended, altered or added to from time to time. Every instance of misconduct is considered in the light of its particular circumstances and context.

### 1. Typical Dismissal Offences

Any of the following may be considered gross misconduct and may lead to dismissal either with notice, or without notice and without pay in lieu of notice unless the employee can show substantial mitigating factors:

- 1.1 Serious breach of all company policies
- 1.2 Serious bullying or harassment.
- 1.3 Deliberate and serious damage to property.
- 1.4 Serious insubordination.
- 1.5 Serious misuse of the company's property or name.
- 1.6 Bringing the company/employer into serious disrepute.
- 1.7 Serious incapability whilst on duty brought on by alcohol or illegal drugs.
- 1.8 Serious negligence which causes or might cause unacceptable loss, damage or injury.
- 1.9 Serious infringement of health and safety rules.
- 1.10 Serious breach of confidentiality.
- 1.11 Committing a criminal offence either at or outside work that undermines the trust between the individual and the company.
- 1.12 Serious professional misconduct.
- 1.13 Inappropriate, wilful and excessive unauthorised entry to computer or other records, including the Internet and/or unauthorised use of personal data.
- 1.14 Serious unlawful discrimination, for example. on the grounds of age, sex, race, disability, religion or belief, colour, ethnic origin, nationality, sexual orientation, gender reassignment etc or any act of harassment on such grounds.
- 1.15 Soliciting gratuities from suppliers.
- 1.16 Repeated misconduct related to less serious offences than listed here.

Employees will also face dismissal for the following reasons:

- 1.17 Where an employee has absented him/herself from duty and all reasonable efforts to make contact have failed.
- 1.18 Where an employee has been given a term of imprisonment and keeping the employee's job open is not a viable or appropriate course of action.
- 1.19 Theft, fraud and deliberate falsification of records.
- 1.20 Physical violence to anyone in or connected with the company.

## 2. Typical Written Warning Offences

Any of the following may be considered as acts which are sufficiently serious to result in a written warning (standard or final), even if the employee has not previously been warned:

- 2.1 Unsatisfactory attendance and/or timekeeping.
- 2.2 Unjustified absence from duty.
- 2.3 wilful failure to comply with policies and procedures, the consequences of which are not so serious as to warrant dismissal in the first instance.
- 2.4 Behaviour not conducive to good order or working relationships.
- 2.5 Leaving the premises without permission during a working period.
- 2.6 Failing to report unsafe conditions.
- 2.7 Violating rules regarding safe usage of machinery.
- 2.8 Negligence.
- 2.9 Abuse of rest breaks or lunch periods.
- 2.10 Smoking in restricted areas, where such action represents a breach of safety regulations, but does not give rise to an immediate danger.
- 2.11 Insubordination.
- 2.12 Conduct that brings the company into disrepute but where the matter is not considered as sufficiently serious to warrant dismissal in the first instance.
- 2.13 Incorrect dress and failure to apply PPE protocols.
- 2.14 Contributing to unsafe, disorderly or unsatisfactory conditions.
- 2.15 Failure to meet performance standards in regard to quantity, quality and efficiency of work performed (where such failure is considered willful rather than simply as a result of a lack of competence on the part of the employee).

## ANNEX B - HR REPRESENTATIVE GUIDELINES

It is understood that not all areas of RA have immediate access to HR expertise, so this guideline serves as best endeavours for those individuals nominated as the HR point of contact in operational areas who await the presence of a HR expert. They are to ensure they follow the direction given in this policy as closely as possible, but the following points serve as due diligence in the conduct of investigations.

### 1. HR Processes - Investigation

- 1.1 Incident occurs
- 1.2 HR investigation requested in operational area
- 1.3 HR interview or statement initiated with all parties
- 1.4 Statements collated
- 1.5 Summary and recommendation submitted.
- 1.6 Action taken if required.
- 1.7 Process for disciplinary action initiated if warranted.

### 2. Key Matters

- 2.1 What happened.
- 2.2 When it happened
- 2.3 Where it happened
- 2.4 Why it happened
- 2.5 Who was present and either observed or participated in the incident.

### 3. Recorded Information

- 3.1 Nature and Seriousness of Offense
- 3.2 Employee Job
- 3.3 Past Discipline
- 3.4 Past Work Record
- 3.5 Ability to Perform in the Future
- 3.6 Consistency with Other Penalties
- 3.7 Mitigating Circumstance
- 3.8 Alternative Sanctions

### 4. Key Advice

- 4.1 IMPARTIALITY

All investigations must be conducted in a fair and equitable manner, with the perseverance necessary to determine the facts.

#### 4.2 OBJECTIVITY

Evidence must be gathered and reported in an unbiased and independent manner in an effort to determine the validity of an allegation or to resolve an issue.

#### 4.3 ETHICS

At all times the actions of the interviewer must conform to generally accepted standards of conduct for RA employees.

#### 4.4 TIMELINESS

All investigations must be conducted and reported with due diligence and in a timely manner. This is especially critical given the impact investigations have on the lives of individuals and activities of RA.

Once all of above is taken into consideration, pass details and recommendations to the HR department who will support any actions to be taken or offer advice on the way ahead.