

Conduct Policy

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Policy/Strategy Control Statement

1	Document Title	Conduct Policy
2	Date of Document (Created Date)	
3	Service Lead	Kirsty McDonald
4	Author	Kirsty McDonald
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7	Amendment record	
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13	Confirm that document meets current legislative requirements	
14	Further Information/Comments	
15	Sign off of statement by Author and Service Lead (name and date):	

Policy Applicable To

Business Area: People Services (Human Resources)
Applicable to: [Policy Applicable To]

Amendment Sheet Record

Revision Date	Description of Changes	Approved By	Date Approved

Please summarise the current policy requirements and how this is changed in the new policy.

Splitting up of Conduct and Capability policy and redrafted into a more user friendly format

Please explain the reason for changes/improvements/new policy.

In line with our policy review project to create accessible and inclusive policies in line with our People Promises

Please explain any new actions required to put the policy changes into practice.

[Explain any Actions]

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Conduct Policy

In our inclusive community, we want everyone to do the right thing, always.

That's why we trust that you will always strive to meet the high standards of behaviour that we expect from our colleagues. If we do notice that your conduct has not met these expectations, then we will make sure we talk to you about this in a fair way that supports and helps you to improve in the future.

This policy sets out what you should expect if we need to talk to you about your conduct. It applies to all colleagues who have passed their probation period who are employed by Places for People, except casual workers, contractors or agency workers. You should refer to the Conduct Process for full details of the steps we will follow.

Some examples of what we might discuss with you under this policy include lateness, breach of procedures and unprofessional behaviour.

If the issue being discussed relates to performance rather than conduct then we will refer to the Performance Improvement & Support policy/ process instead.

Raising an Issue Informally

Wherever possible, we want to try and resolve concerns relating to conduct informally. Your line manager will either discuss the issue with you during a scheduled 1-2-1 or they may arrange a separate meeting to talk to you.

Following the meeting, your manager will send you a Letter of Concern confirming what was discussed.

There may be times where a conduct concern continues or, due to the seriousness of the issue, it is necessary for the formal conduct process to be followed.

Investigation

The decision to escalate things to a formal process will not be made until an investigation has taken place. You will be invited to an investigation meeting so that we can discuss these concerns with you. Full details of the investigation process is included within the Conduct Process. If it is decided that a formal conduct meeting is required then you will be informed of this in writing.

Right to a Representative

We understand that being told that you need to attend an investigation or Formal Conduct Hearing can be an overwhelming experience and may impact your wellbeing and so you may wish to bring a representative with you to the meeting for support.

You can choose any colleague or Trade Union representative to attend the hearing with you.

So that everyone is clear on the role that the representative can have during the hearing, a Workplace Representative Guide has been created.

Suspension

There may be times when it is necessary to suspend you from work whilst an investigation is undertaken in order to protect you and/ or the company. We understand that this could affect your wellbeing and so we will only suspend you in situations where no alternative exists. If you are suspended, then an appointed manager will be responsible for keeping in regular contact with you.

Please be assured that if you are suspended, this is not an indication that any decisions have been made and it is not a formal sanction. If the decision is made to suspend you then this will be fully paid.

Further details relating to suspension can be found in the Conduct Process.

Formal Conduct Hearing

If it is decided that a formal conduct hearing is necessary, then you will be informed of this in writing. Full details of what happens during a formal conduct hearing can be found in the Conduct Process. We may record the hearing so that we have a detailed, accurate record of what was discussed. A copy of the notes will be made available for you to review after the meeting.

Rescheduling a Hearing

Whilst we expect you to make every effort to attend the Formal Conduct Hearing, we understand that you/ your representative may be unable to attend. If such a situation arises then you should inform the hearing manager as soon as possible and provide them with some alternative dates/ times so that it can be rearranged for a time that is convenient for everyone.

Fast Track Conduct Process

The fast-track process can be used if there is enough information about the allegations for a decision to be made without following the full Conduct process. You can request for this process to be followed if you accept all the allegations made against you. This process will not be used in cases of alleged gross misconduct or if you have a live Final Written Warning on file for conduct and dismissal is a potential outcome of the process. You should discuss this option with the investigating manager before any formal process starts.

You can find full details in the Conduct Process.

Formal Conduct Hearing Outcomes

Following the conduct hearing, the Hearing Manager may decide to issue you with one of the following formal outcomes:

- No action taken
- Letter of Concern
- Verbal Warning (Remains on file for 12 months)
- First Written Warning (Remains on file for 12 months)
- Final Written Warning (Remains on file for 12 months)
- Dismissal
- Summary dismissal (For cases of gross misconduct)
- Demotion

When making their decision, the Hearing Manager will consider the seriousness of the matter being discussed and whether you currently have any live formal warnings on file.

Gross Misconduct

You won't be dismissed following a formal conduct hearing if it is the first time we have had to speak to you about a conduct issue, unless we believe that this was gross misconduct in which case you could be dismissed without notice (summary dismissal).

Examples of gross misconduct include (this list is not exhaustive):

- Theft or fraud
- Deliberate falsification of records for personal or professional gain
- Being under the influence of alcohol or a controlled substance in the course of your work
- Violent, abusive or intimidating behaviour
- Use of inappropriate language or any similar act that may bring the company into disrepute
- Use of a mobile phone or device whilst driving for work without appropriate hands free equipment
- Acts of harassment or bullying towards another employee, client or customer
- Misuse or malicious damage to company, client or customer property or systems
- Serious breach of legislative requirements, including health and safety regulations
- Unauthorised disclosure of confidential information
- Accepting or offering bribes, or other acts of professional dishonesty
- Driving under the influence of alcohol or controlled substances during the course of their work
- Gross professional negligence
- Acts of discrimination
- Smoking inside offices or other designated workspaces (including e-cigarettes, vaping etc.)
- Any other act that may bring the company, clients or reputation into disrepute

If you are convicted of a criminal offence that impacts on your ability to carry out your role, then we may have to follow the Formal Conduct Process to discuss this with you. If you are investigated, charged, cautioned or convicted in relation to a criminal offence then you should let your manager know straight away. If you fail to do so, then we may have to deal with this by following the Formal Conduct Process.

Appeals

You will be given the right to appeal against any formal warning/ decision to dismiss you. Full details of how to submit an appeal will be contained within the conduct hearing outcome letter that you will receive following your hearing. Full details of the grounds under which you can appeal and the appeals process can be found in the Formal Conduct Process.

Confidentiality

We will treat anybody who is involved in a conduct process with respect throughout. Any information disclosed during the process must be kept confidential. Where witnesses have been identified and have provided statements, their names will normally be disclosed to you, however there may be occasions where we believe it is best to keep this information confidential. An example of this would be if the witness fears that they will be intimidated.

Reasonable Adjustments

We want to make sure that you get the support you need to allow you to fully participate in the process and so if you have a health condition/ disability that you feel prevents you from fully participating in this process then please let us know at the earliest opportunity. We will then discuss any potential reasonable adjustments that can be made to assist you in the process. The Guide to Workplace Reasonable Adjustments provides further information for colleagues and managers. The following training is also available on Places Academy: [What Are Reasonable Adjustments?](#)

Support

It is understandable that you may find this process overwhelming and that you may need some wellbeing support.

All areas of the business offer an Employee Assistance Programme that provides 24/7 access to trained counsellors. The table below provides the details of the different providers for each area:

Business Area	Provider	Contact Number
PfP/ Places Leisure	Aviva Care First	0800 015 5630
RMG	Telus Health	0800 169 1920
DFM	MET Life	0800 012 1473

We also have a network of [Mental Health First Aiders](#) who will also be able to provide you with wellbeing support.

Grievances

If you raise a grievance whilst your conduct is under review that is unrelated to the Conduct process then both processes will continue side by side and your grievance will be dealt with by another manager. If the grievance is related to this process, then we may pause the process whilst we deal with the grievance.