



Windmill Training Ltd.

Staff Disciplinary Policy and Procedures

Scope and Purpose

To provide a set of procedures to ensure that any or all persons carrying out duties on or on behalf of Windmill Training Services Ltd who fail to follow the code of practice as set out in the Windmill Training Ltd Code of practice are treated with consistency, whilst taking into account the individual circumstances of each incident or issue.

Where the term Engaged Personnel is used this will mean an agency company person persons or personnel working for or representing Windmill Training Services Ltd in either a part time or full-time capacity

- The Policy and Procedure as laid within this document applies to all personnel working full or part time for or on behalf of Windmill Training Ltd.
- When first engaged within a role and on an on-going basis, we will provide personnel with a clear understanding of the commitments to Windmill Training Services Ltd and an acceptable behaviour that they will be expected to apply while representing Windmill Training Service Ltd. This includes behaviour towards other engaged personnel learners' venues and environments.
- Windmill Training services Ltd will ensure that all Engaged Personnel adhere to Windmill Training Ltd Policies.
- Windmill Training services Ltd will ensure that disciplinary actions follow the process as laid out within this document taking into account individual circumstances.
- Windmill Training services Ltd will Document all actions taken.

Windmill Training Services Ltd Commitment requirements

All employees or agents working full or part time in any capacity for or on behalf of Windmill Training services Ltd will adhere to the following commitments

1. Any Engaged Personnel contracted to carry out work or works for or on behalf of Windmill Services Ltd must give 20 working days notice if unable to meet their commitments
2. Any agent or persons contracted to carry out training work or works for or on behalf of Windmill Services Ltd must give at least 24 hours prior notice if unable to meet their commitments through illness or emergency
3. Any personnel employed in a full or part time office based role within Windmill Services Ltd will give notice of illness, emergency or any other instance that prevents them from starting work at their given time within 1 hour of their start time

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4. All Engaged Personnel will give at least 5 working days notice for the requirement of annual leave or medical appointment where reasonably practicable
5. All Engaged Personnel will behave in a professional manner at all times while representing or claiming affiliation to windmill training services ltd and will not behave in any way that will bring Windmill training services into disrepute
6. All Engaged Personnel will dress appropriately for the environment they are working within
7. All Engaged Personnel will bring to the attention of the Quality Assurance Co-Ordinator any instance of sexual harassment, bullying, age or sex discrimination, inappropriate communication or any other issue that may arise while working for or representing windmill Training Services Ltd within 15 days of the incident or issue (note due to the nature and effect of some issues any reported incidents or issues will be investigated and taken seriously even if not reported within 15 days)
8. All Engaged Personnel will take all reasonable steps to assure they are conversant with all Windmill Training Services Ltd Processes, Procedures and Policies
9. All Engaged Personnel will respect and protect Windmill Training Services intellectual rights
10. No Engaged Personnel will be entitled to divulge any confidential materials in part or whole without the express permission of the Managing Director of Windmill Training Services Ltd
11. All Engaged Personnel will bring to the attention of the Quality Assurance Co-Ordinator any medical issues or the requirement to use prescribed drugs
12. All Engaged Personnel will make themselves aware of any health and safety processes or procedure of any venue or premises where training, meetings or any other organised event is taking place, that the processes and procedures are transmitted to all event attendees and that they are followed accordingly

Disciplinary Offences

The following are some examples of misconduct; further examples maybe be discussed upon engagement for a role:

- Any breach of health and safety or other regulations
- Any failure to follow reasonable instructions of a member of staff;
- Any theft of property or any other dishonest acts;

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- Deliberately or by gross negligence causing damage to any buildings, equipment, books or furnishings or any property owned in part or full by Windmill Training services or any other third parties;
- Any misuse of substances e.g. solvents, alcohol, non-medical use of prescribed drugs or illegal drugs. This applies to substance misuse within, or having an effect within, the grounds of any training premises;
- Any unauthorised interference with hardware, software or data belonging to or used by Windmill training ltd, any training facility learners or third parties;
- Any smoking within any prohibited areas or environments;
- Failure to comply with commitments;
- Any unduly noisy or any unruly behaviour or the use of foul or abusive language;
- Disrupting activities, whether or not involving other Engaged Personnel learners or third parties;
- Any bullying, intimidation, taunting, verbal abuse or the use of any violence or threat of violence towards any person;
- Any behaviour which is socially racially or sexually offensive or which is offensive to those with learning and/or physical disabilities;
- Any behaviour which could bring Windmill Training ltd into disrepute;
- Any illegal act which may have an adverse effect on the work of Windmill Training Services or on learners.

To protect the learning environment, Windmill Training ltd takes seriously any breaches of this Policy and will follow the Windmill Training services ltd Disciplinary Process should this happen.

Gross Misconduct

Windmill Training services ltd take incidents of gross misconduct very seriously any breach will invoke the Disciplinary Process and in cases where any Engaged Personnel are involved in gross misconduct, including the following:

- Theft of any kind;
- Threatening behaviour or assault;
- Bullying or harassment including by text or email or any other form of communication;
- Deliberate damage to property (Centre and personal property);
- Endangering the health and safety of others;
- Any potentially criminal activities affecting the Centre or any other persons;
- Possession and/or use of alcohol while working for or representing Windmill Training Services ltd;
- Possession and/or use of illegal substances;
- Inappropriate access to web material deemed unsuitable whilst working for or representing windmill training services ltd;
- Inappropriate use of e-mail or social websites

Note: This is not an exhaustive list and each incident will be reviewed individually.

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Next review: 6th October 2025 by Quality assurance manager



The Centre in the first instance will suspend the Engaged Personnel pending a formal investigation. In all cases of gross misconduct, the Managing Director of windmill training services ltd will investigate the incident and will take the appropriate action should the investigation uphold the claim of gross misconduct.

All Cases where the investigation upholds the claim of gross misconduct the Engaged Personnel will as a minimum, result in a final warning. In all circumstances a letter will be issued notifying the Engaged Personnel of the decision taken.

The accused Engaged Personnel may appeal the decision of the disciplinary hearing to the Quality Assurance Co-Ordinator who will investigate the decision and procedures used

Stages of the Disciplinary Process

1. Informal Stage

This is a support measure before the disciplinary procedure is invoked and will generally relate to a failure to fulfil any or all commitments to Windmill Training Services Ltd or minor forms of misconduct. The following should act as a guide;

- Regular failure to meet requirements of learners
- Lack of Punctuality
- Missing Deadlines
- Complaints about attitude
- Poor Behaviour

If Windmill Training Services Ltd has a concern, the Managing director will inform the Engaged Personnel verbally what the issues are and request they look into addressing the issues.

If Windmill Training Services Ltd has a continued concern, the Managing director will discuss with the Engaged Personnel what the issues are and work with them to improve the situation.

2. Formal Warning

2.1 If Windmill Training Services Ltd has continuous concerns, there is an escalation to the issues or an agreement cannot be made informally, the Managing director will issue a written formal warning to the Engaged Personnel involved.

2.2 Once a formal warning has been issued, the Managing director will then arrange a review meeting with the Engaged Personnel within 5 working days. The outcome of the meeting will be to agree an action plan. The Managing Director will have at least one witness in attendance. The Engaged Personnel may invite a representative or witness

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Next review: 6th October 2025 by Quality assurance manager



to this meeting. At the meeting an individual action plan will be issued with clear performance targets and dates. The agreed actions will be entered into the Engaged Personnel's personal file. If the Engaged Personnel does not agree with outcome of the meeting, the Engaged Personnel may invoke the Disciplinary Appeals Policy.

2.3 Although a review date will be set at this meeting, more frequent meetings can be arranged, if both parties are in agreement.

2.4 At the end of the review period another meeting will be held with the managing director. If no or insufficient progress has been made a final warning will be issued.

3. Final warning

3.1 Once a final warning has been issued, the Managing director will then arrange another review meeting with the Engaged Personnel within 5 working days. The outcome of the meeting will be to agree a new action plan. The Managing Director will have at least one witness in attendance. The Engaged Personnel may invite a representative or witness to this meeting. At the meeting an individual action plan will be issued with clear performance targets and dates. The agreed actions will be entered into the Engaged Personnel's personal file. If the Engaged Personnel does not agree with the outcome of the meeting, the Engaged Personnel may invoke the Disciplinary Appeals Policy.

Failure to agree an action plan will in the first instance result in suspension of the Engaged Personnel, upon review of the situation by a mediator if no agreement can still be formed then the Engaged Personnel will be dismissed from working for or representing Windmill Training Services Ltd

Failure to make satisfactory progress against the agreed final warning action plan or if there are issues of a serious nature then the Engaged Personnel will be dismissed from working for or representing Windmill Training Services Ltd

4. Disciplinary Appeals Process

4.1 Windmill Training Ltd will establish a Disciplinary Appeals Panel to deal with all Engaged Personnel's request for a disciplinary appeal. This will consist of a minimum of two members of staff who are not directly involved with the Engaged Personnel or agreed 3rd parties.

4.2 Engaged Personnel must appeal in writing to the Appeals Panel within 5 working days of attending a disciplinary meeting.

4.3 The Disciplinary Appeals Panel will request written information from all parties involved and meet within 5 working days of receiving the appeal. The Engaged

Date reviewed: 6th October 2023

Next review: 6th October 2025 by Quality assurance manager



Personnel will be asked to attend the meeting and may invite a representative to this meeting.

4.4 The Panel will review all information and make a decision which will be communicated in writing to the Engaged Personnel and to the Managing Director.

4.5 The decision of the Panel is final.

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