



Bringing hearts and minds
together for children

DISCIPLINARY

POLICY

POLICY STATEMENT

This document provides guidance for all staff and employees of Plan International on the Company's disciplinary procedure. It is intended to be applied as a best practice approach to ensure equitable and fair treatment for all Plan International staff. However, in addition to these standards, Plan will comply with any specific local labour laws which may be in force in-country.

We expect you to conduct yourself in a manner that reflects well on the organisation and high standards of behaviour are required. Where there are issues surrounding your performance or conduct, we prefer to resolve problems informally but recognise that circumstances may require formal steps to be taken.

Where time limits are referred to, throughout the policy, they may be varied by mutual consent between the employee and Plan International.

PURPOSE & SCOPE

The purpose of the procedure is to ensure that:

- Staff are given a fair warning when their conduct, attendance or job performance is unsatisfactory and may lead to disciplinary action, and to give staff an opportunity to improve.
- Staff are made aware of the seriousness and likely consequence of unsatisfactory behaviour.
- Consistent and fair treatment is established for all employees within the organisation.

The procedure is not necessarily a progressive one and we reserve the right to initiate the process at any stage, including dismissal, if your conduct warrants it.

THE PROCESS

Informal Discussions

Before taking formal disciplinary action, your Manager will make every effort to resolve the matter by informal two way discussions with you. The objective of these discussions is to help you reach the required competency or level of performance required to carry out your role. Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented, and depending on the seriousness of the offence, it may be invoked at any level including summary dismissal.

Investigation

Your Manager will promptly and thoroughly investigate any matter that is reasonably suspected or believed to be a disciplinary matter.

Disciplinary Actions

The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

Suspension*

If appropriate and legally permitted, where it is believed that the matter to be investigated, or during an investigation involves serious misconduct, you may be suspended from work on full pay and contractual benefits for as short a period as possible (in accordance with local laws/custom and practice). Any decision to suspend will be confirmed in writing to you confirming the nature of the suspension. Suspension, if applied, in order to facilitate an investigation, is precautionary, and not a disciplinary sanction.

**suspension may also be a sanction following a disciplinary process and is separate to suspension mentioned above*

Right to be accompanied

You may make a reasonable request to be accompanied at a disciplinary meeting (including any appeal meeting) by a colleague of your choice or if locally applicable by an appropriate trade union or employee rep. Plan International reserves the right to request that you choose an alternative companion if the one identified is deemed not to be a reasonable choice (for example if he/she is involved in the disciplinary matter). The specific role of the companion may vary depending on country and your local HR team will clarify their role at the start of any process.

It is your responsibility to ensure that your companion is willing and available to come to the meetings. If your companion cannot attend the schedule meeting, you may propose an alternative date so long as it is reasonable. Normally, this should not be more than five working days after the original time proposed by Plan International. Companions may take reasonable paid time off to accompany fellow employees to disciplinary meetings.

Step	Description
Step 1 – Investigation/Suspension	<p>You will be informed of the nature of the concerns about your conduct or performance and, if considered appropriate, as above, you may be suspended on full pay pending an investigation. Suspension is not a disciplinary sanction and does not imply that Plan International has made a decision in respect of the disciplinary matter.</p> <p>An appropriate manager (ideally a manager other than the employee’s manager) and/or HR will carry out any investigation and you may be required to attend an investigatory meeting to assist in the process.</p> <p>Depending upon the outcome of any investigation, you will either be informed that the process is concluded and no further action will be taken or that the investigation has identified the need for a disciplinary meeting to consider possible disciplinary sanctions.</p>
Step 2 – Meeting/Meeting	<p>If a meeting/ meeting is required, you will be informed of the disciplinary allegations in writing in advance and will be provided with relevant information and/or documents to enable you to respond to the allegations in the meeting/meeting. Following this, you will be informed in writing of the outcome, any disciplinary sanction and the appeal process. The meeting/meeting will be conducted by a manager – this will typically be the employee’s line manager providing they have not conducted the investigation.</p>
Step 3 – Appeal	<p>You have the right to appeal against any decision, should you wish to appeal you should submit your grounds for appeal in writing to HR within five working days of receiving the disciplinary decision, outlining the basis for your appeal. HR will then arrange for an appropriate person to handle the appeal. An appeal meeting will be arranged and a response will be provided to you in writing afterwards. The decision on appeal is final.</p>

Where Plan International is considering disciplinary action on the grounds of performance, Plan International may put in place a Performance Improvement Plan, the purpose of which is to monitor your progress against agreed objectives and to identify how you can meet these objectives, with support from Plan International where necessary. The Performance Improvement Plan will have regular reviews built into it.

At each review stage during a Performance Improvement Plan, Plan International will consider whether to impose a disciplinary sanction in line with this Process.

Sanctions

Where a disciplinary sanction is considered necessary, the following sanctions may be implemented depending on the seriousness of the alleged misconduct or performance issues.

Sanction	Description
Written Warning	If conduct or performance is unsatisfactory, you will receive a written warning. You will be advised of the changes required in behaviour and/or performance, the action items necessary to achieve the desired change and the required timescale.
Final Written Warning	If conduct or performance continues to be unsatisfactory following a written warning or if there is a more serious performance/conduct issue regardless of whether a previous warning has been issued, you will receive a final written warning. You will be advised of the changes required in behaviour and/or performance and the action items necessary to achieve the desired change.
Dismissal	If your conduct or performance has failed to improve or if you commit an act of further misconduct or gross misconduct (whether or not a warning has been given previously) you may be dismissed. Except in cases of gross misconduct, employees will receive notice or payment in lieu of notice.
Other Action	In addition, instead of warnings and dismissal Plan International may take other forms of corrective action (subject to local labour law): <ul style="list-style-type: none">• Demotion• Transfer• Change of duties• Suspension on half or no pay

The duration of any written warning will depend on the nature and seriousness of the matter and will be specified in the warning. Warnings will last for 6 months for a First Written Warning and 12 months for a Final Written Warning. HR will retain records of expired warnings for a maximum of 2 years. Expired warnings will not be directly relevant in considering whether further misconduct warrants dismissal but may be relevant to considerations of mitigation or where it may indicate a pattern of behaviour.

You need to make all reasonable efforts to attend investigatory, disciplinary and appeal meetings. If you are unable to attend a disciplinary meeting with good reason, the meeting will be adjourned to another day. Unless there are special circumstances mitigating against it, if you are unable to attend the rearranged meeting, the meeting will take place in your absence. You will be allowed to make written submissions at least 24 hours prior to the date of the meeting.

Gross Misconduct

The following are examples of gross misconduct which may result in dismissal without notice or payment in lieu of notice. Please note this list is not exhaustive:

- Child Protection issue eg. Abuse, mistreatment, neglect of children and young people whether at work or in private life. Where allegations of misconduct may be related to or

could be connected to the employee's work with children there must be cross referencing to Plan's Child Protection Policy.

- Unauthorised possession, use or removal of Plan's property.
- Being charged with a criminal offence (whether or not convicted) except one that does not, in the opinion of Plan International, affect your position;
- Alcohol, drug or substance abuse during the course of work or affecting the performance of your duties and any unreasonable refusal to comply with an applicable alcohol and drugs policy
- Acts of dishonesty, theft or fraud;
- Falsification of records, expenses or defrauding Plan International in any manner;
- Giving misleading or incorrect information prior to your employment or on joining Plan International;
- Breaching your obligation of confidentiality;
- Serious misuse of Plan International's technology and telecommunications systems including unauthorised use of email and the internet (including accessing pornographic, offensive or obscene material) and unauthorised access to personal data of other employees;
- Discrimination, harassment or victimisation against colleagues or third parties or any other conduct in breach of Plan International's Equal Opportunities Policy.
- Violent or abusive/aggressive behaviour against a colleague, parties Plan International supports or other third parties;
- Conducting yourself, either during or outside normal hours of work such that the interests and/or reputation of Plan International, its employees, any parties Plan International supports whose interests may be seriously affected;
- Serious breach of Plan International's policies and procedures including the Code of Conduct;
- Committing any act which may endanger persons or property or which wilfully breaches any safety rule, company policy or legislation or which is likely to constitute a safety risk or failing to report any injury or accident occurring at work to supervisor/line manager
- Raising grievances or other complaints maliciously or in bad faith

Poor Performance

The following are examples of poor performance which may result in disciplinary sanctions and ultimately dismissal. Please note that this is not an exhaustive list:

- Low productivity
- Slowness and/or repeatedly missing deadlines
- Consistently inaccurate work
- Negligence
- Inability to adapt to the needs of the role.
- Failure to establish good working relationships with colleagues, parties Plan International supports (customers) or other third parties.

ROLES AND RESPONSIBILITIES

Line Managers will:

- Raise less serious concerns with the employee directly in the 1st instance;
- Will ensure that a fair and objective investigation is conducted into the potential area for concern;
- Complete an investigation summary report, detailing the investigation carried out, findings and recommendations for next steps;
- Involve Human Resources at each stage;
- Respect the confidentiality of the employee.

Human Resources will:

- Ensure that this policy is published and available to all staff so that Plan's workforce is aware and informed;
- Provide advice, guidance and ongoing support to managers, staff and associates in relation to the policy and potential outcomes and/or sanctions;
- Confirm any sanctions/outcomes in writing to the employee;
- Participate, and provide independent investigations as required; and
- Keep abreast of any changes to local law requirements that may impact this policy or operation.

Senior Management (incl. Regional Directors, Country Directors, and Directors) will:

- Review any documentation and/or evidence thoroughly;
- Chair any disciplinary or appeal meetings as required;
- Decide, with support from Human Resources, on an appropriate outcome;
- Ensure any employee subject to disciplinary action is treated fairly and with respect.