



This document has the  
**Customer  
at Heart**  
**Treating Customers Fairly**  
The fair treatment of customers is  
central to our corporate culture.



# Disciplinary Procedure

March 2018

Internal Use Only



Document due for review March 2019  
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# Disciplinary Procedure

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## What is Disciplinary?

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We want to create an environment where everyone treats each other as they would like to be treated and is clear about what behaviours and conduct we expect of them. Where this isn't the case, we want to understand why and might need to address this formally through this procedure.

Disciplinary is different to Capability, which is used to support performance and attendance improvements. You can find more information about the Capability procedure on Z-net.

## Who does this procedure apply to?

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All permanent or fixed term UK employees. We use a separate procedure during probationary periods; again, you can find out more on Z-net.

We aim to create a Great Place to Work, where we put our customers at the heart of everything we do. Delivering good outcomes for them also depends on our good conduct. Our behaviours, practices and processes all reflect our ongoing commitment to this aim.

Our Code of Conduct outlines a set of key behaviours to guide and inspire all our employees.

Sometimes, colleagues may fall short of these required standards of conduct, and this is where we may need to use this procedure. If so, we will commit to always being fair, balanced, consistent and proportionate in any action we think needs to be taken. Through this procedure, we explain how we deal with issues and the steps involved.

## Addressing concerns informally

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We believe honest and early conversations give you the best opportunity to improve. They give you time to change any areas where we're concerned your behaviour and conduct might be falling short of what we expect. A quiet word and a big commitment back from you to change can often be all that is necessary, and we'll always consider whether something can be best resolved this way first.

Sometimes though, where things don't improve or if it's a serious issue and your manager doesn't feel the informal approach is appropriate, we may choose to use the formal procedure below. Before doing this, we'll make sure we've completed any necessary investigations.

## Carrying out investigations

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In some situations, there may be allegations made about your behaviour or conduct. Alternatively, we may have witnessed a serious situation (or believe one has arisen) that concerns us. If this is the case, we'll want to find out what has happened and why. It could be your own or another appointed manager who investigates.

Depending on the complexity and nature of the issue(s), the investigation might involve meeting with you to explain our concerns and find out your response. If you're involved in any investigation, we always encourage you to be open and honest with us.

You can provide any information or evidence that you feel is relevant or helpful to an investigation. This can include identifying any relevant witnesses we need to consider.

The purpose of any investigation is to establish a fair and balanced view of the facts. When the investigating manager is comfortable they've done this, they'll decide what action is most appropriate. This could be that it's right to progress the matter using the formal procedure (below), that we can resolve issues informally, or that there's no case to answer and no action follows. Whatever the case, they'll let you know.

## When we might consider suspension

In some circumstances, and usually where it's a serious matter or to protect you, colleagues, customers or the business, it might be necessary to consider a period of time where you receive full pay but are not to work or attend work. This is known as suspension. If you are suspended, this is usually during the time that an investigation or any potential Disciplinary hearing is underway.

If you are suspended, we may ask you to attend meetings, and we'd expect you to be available for these. We know going through this process isn't easy. We'll always tell you why we're suspending you, follow this up in writing, keep the timescales as short as possible and keep it under regular review.

*It's important you know that suspension isn't a Disciplinary sanction. It doesn't mean we've made any decisions and isn't an indication that formal action will follow.*

## What are the steps in the formal process?

If, following an investigation, we decide to move to more formal steps then this is the process:



### 1. You're invited to a Disciplinary hearing

We'll give you a letter setting out the arrangements and share any documents that we'll consider at the meeting.



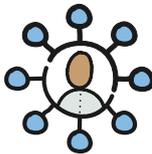
### 2. The Disciplinary hearing takes place

The meeting is to consider if any/what Disciplinary action we should take (you can ask someone to attend with you if you like – see page six). You'll have a full opportunity to put across your side of things, provide any evidence or explanations and call relevant witnesses\* before the hearing manager makes a decision.



### 3. The hearing manager takes a break

Once all points have been discussed, the hearing manager will take a break (also known as an adjournment) to consider all the information and make their decision. Sometimes, they may need to undertake further investigations. If they do, they'll do these as quickly as possible and before confirming the Disciplinary outcome.



### 4. You receive the decision

This will be verbally where practicable, as well as confirmation in writing. You do have the right to appeal any outcome of this process. Details of how to do this will be included in your outcome letter.

\*If you plan to call a witness to the meeting, please let us know at least 24 hours before the meeting.

We'll always work to complete any Disciplinary matters as quickly as possible. We will also build in notice of any Disciplinary hearing to give you time to prepare.

Remember, a Disciplinary hearing is your opportunity to respond to the situation and provide any evidence for the hearing manager to consider. It's important you attend these meetings and be open and honest. If you don't attend, the process may carry on in your absence (e.g. in cases of persistent non-attendance) and a decision made based on the evidence and information we have available. We may also consider stopping your pay if you unreasonably fail to engage in the process. Clearly, this isn't something we want to do – while this is a difficult process, we want you to be involved at every stage.

If you're having problems attending, talk to the person holding the meeting. We know that sometimes it may be appropriate for us to consider other options to enable you to participate.

## No formal action

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If we decide no formal action should be taken, we'll let you know this and consider the matter closed. We'll follow this decision up in writing.

## First written warning

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Examples of when we might give this include:

- cases of more minor misconduct
- when informal feedback hasn't resulted in the required improvements in conduct or behaviour
- when informal action isn't deemed appropriate.

The warning will remain 'live' for six months.

## Final written warning

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Examples of when we might give this include where:

- There's serious misconduct or incompetence
- We've already issued a first written warning, and there hasn't been sufficient improvement and/or there has been a further cause to discuss any aspect of your conduct.
- The decision has been taken not to dismiss.

The warning will remain 'live' for 12 months.

## Dismissal

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We'll consider dismissal where:

- The seriousness of the offence warrants immediate dismissal for a first offence, i.e. gross misconduct (see below for more information).
- We've already issued a final written warning, and there hasn't been sufficient improvement, and/or there has been a further cause to discuss any aspect of your conduct.

## The outcomes of a Disciplinary hearing

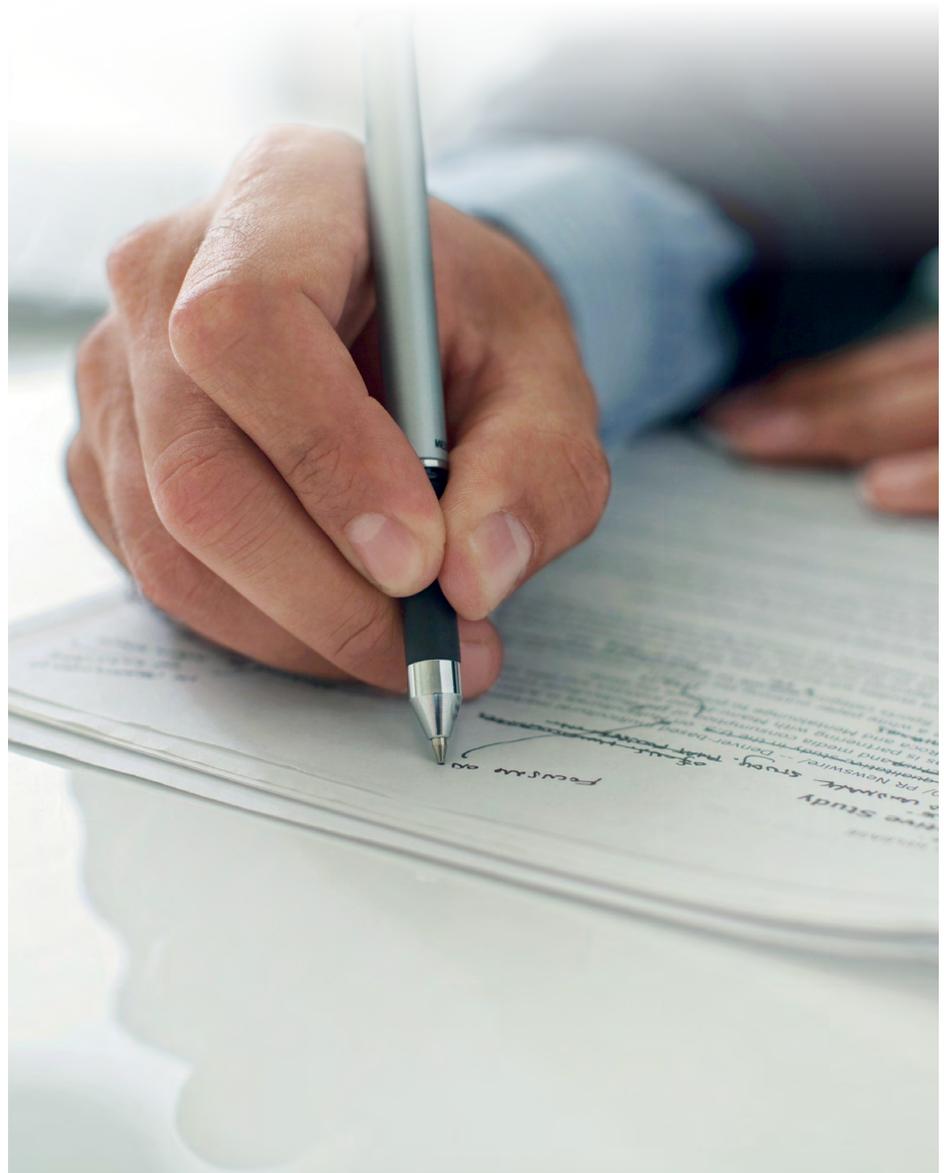
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The hearing manager will decide if any Disciplinary action is appropriate, and there are several possible outcomes. We may follow these in sequence or, if the situation is sufficiently serious, we may consider any at any stage.

If you have any 'live warnings', we'll consider these. This means you could move from a first written to a final written warning if there are further concerns or incidents regarding your behaviour and/or conduct.

When making decisions, the hearing manager will take into account relevant factors such as:

- The severity of the issue(s);
- Whether you have received previous warnings related to the issue(s);
- Your previous record;
- How you behave and conduct yourself during the Disciplinary process.



# Gross misconduct

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In cases of gross misconduct (sometimes referred to as 'summary dismissal'), we would dismiss you without notice or notice pay. In all other cases of dismissal, we would dismiss you with notice in accordance with your contract – but we may not require you to work it. We would let you know at the time.

We never take decisions to dismiss lightly, and we always give them significant consideration. If the hearing manager feels terminating your employment with us isn't the right course of action, they may consider alternatives such as demotion or transfer to another role. If this is the case, you'll receive the salary, and other terms and conditions appropriate for the new role and your responsibilities and status may change.

If there is the possibility of dismissal, we'll make sure you know this – it will always say so in your hearing invite letter.

We'll place any letters setting out Disciplinary action on your personal file as a matter of record. However, we will disregard them for Disciplinary purposes after the relevant number of months, subject to satisfactory performance and conduct.

## What is gross misconduct?

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This is usually behaviour or conduct so serious that it could cause severe damage to our business or there's such a breakdown in trust between us that it can't be repaired.

We can't cover every circumstance, but we'd generally consider the following to be examples of gross misconduct. This isn't a complete list; we'll look at each case individually.

- Offensive behaviour (including harassment and bullying) or any form of violence or abuse
- Serious IT/data protection/confidentiality/security breaches that have the ability to cause commercial or reputational harm
- Breach of email/Internet/Social Media policy, including posting inappropriate or offensive material on social media sites that may bring our name into disrepute
- Refusing to follow a reasonable request or serious insubordination
- Serious misuse of a corporate credit card (i.e. American Express)
- Theft, misappropriation or wilful damage to company property
- Serious breaches of Health & Safety regulations including breaches of the Alcohol, Drugs and Substance Abuse Policy
- Dishonesty or falsifying documents (including fraudulent expense or overtime claims)
- Gross negligence or conduct that has the impact to cause cost or damage to our company or our reputation
- Major breach of requirements under the Financial Services Act 2012 or Financial Services and Markets Act 2000 or damage to our commercial interests

## Will I receive copies of any notes of the meeting?

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Yes – we'll make sure you receive a copy of any notes taken. Just so you know, we don't record or allow you to record meetings (through recording equipment, mobiles phones etc.).

## Need more help?

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Speak to one of our HR team:

**Internal:** 7900 3020

**External:** 0800 302 9056



Get in touch with us by email:

**Internal:**

GBZ\_hr services

**External:**

HR Services@uk.zurich.com

If you need some additional support, remember, you can also contact Workplace Options (our Employee Assistance Programme). You'll find all their contact details on Z-net.

## Can someone come with me to formal meetings?

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Yes; we know it isn't easy going through a Disciplinary process, and we don't want you to feel unsupported. You can choose to bring someone to accompany you to formal meetings (including appeal hearings, but excluding investigation meetings). Your companion could be a colleague from Zurich, a trade union representative who is certified as competent to accompany you, or an official employed by a trade union. If your chosen companion can't attend, don't worry; let the manager holding the meeting know as soon as you can. We'll ask you to suggest an alternative date within five calendar days of the original meeting.

For further useful information about being accompanied have a look at the Companions Guide on Z-net.

## What if I disagree with the outcome?

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We want to treat you fairly. When you've received your outcome letter, if, for example, you believe the outcome isn't right, you haven't had a fair hearing, and/or the investigation wasn't carried out properly, you can appeal.

You'll have 10 working days from your outcome letter to submit an appeal in writing.

You can be sure that we'll have thought about who's best to hear your appeal. It will be someone who has not been involved so far, who is the same grade as, or more senior than, the hearing manager. If you're appealing a dismissal, the person will be a Grade 6 or more senior, and again not previously involved.

If your appeal against a dismissal is successful, we'll reinstate you as a Zurich employee. This won't affect your continuity of service, and your original service date will apply. You'll also receive a payment to cover any loss of pay between your termination date and reinstatement.

Please be aware that an appeal decision is final.

## Keeping matters confidential

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We'll deal with Disciplinary matters sensitively and with respect for the privacy of all individuals involved. We expect that any information given in connection with an investigation or Disciplinary matter is treated as confidential too.

In some cases where witnesses are involved, we may decide that a witness's identity should be kept confidential. We will only do this in exceptional circumstances.

