

## **Fair Treatment at Work Policy**

SKW Construction is committed to providing excellent customer service whilst creating a positive environment that people want to be part of. As a business we want to ensure that problems at work are resolved fairly, consistently and as quickly as possible.

This policy outlines the principles and responsibilities that apply to the operation of all of the following policies to ensure that you are treated fairly:

- Improving Performance
- Probation
- Disciplinary
- Grievance
- Ill Health Capability
- Harassment and Bullying

### **2. When does this policy apply?**

We hope that problems will not arise during your employment with us. We are committed to helping and encouraging you to maintain effective performance and acceptable standards of behaviour and attendance at work and to fostering an environment which is free from harassment and bullying. However we know that problems may occur periodically and when they do we are committed to dealing with them transparently and fairly.

This policy sets out what we will do in the event that problems do occur and the principles which govern the operation of the policies listed in section 1.

#### **2.1 What are the principles of fair treatment at work?**

Where possible any problems at work are best resolved quickly and informally; prompt resolution can restore and maintain good working relationships. The policies listed above may be used by your manager to address concerns regarding your performance, conduct or attendance, or by you to raise concerns regarding your treatment at work. We will, in all cases;

#### **In the operation of our policies:**

- deal with you fairly, reasonably and sympathetically
- treat you in accordance with our Diversity and Inclusion Policy
- provide you with the necessary support
- recognise that the resolution of issues places responsibilities on both you and your manager to act reasonably
- advise the General Secretary of the Union if you are a Union Representative and are subject to any action
- make reasonable adjustments to our policy or procedures if you or your companion are disabled

#### **When managing concerns regarding your performance or conduct:**

- seek to use our existing policies with a view to help you reach the standard required or to improve your behaviour where appropriate
- at every stage of a formal procedure we will give you details of our concerns before you are invited to a formal hearing or meeting and provide you with an opportunity to review any relevant evidence and state your case before a decision is made
- give consideration to finding alternative work when you are unable to meet our required standard of performance as a result of capability

**When arranging formal hearings or meetings:**

- make you aware when you are entitled to be accompanied to all formal hearings or meetings
- arrange for hearings and meetings to be chaired by managers who have received appropriate training and/or have the appropriate experience and are therefore considered by us as competent
- ensure that if an issue proceeds to the dismissal stage, the hearing will not be conducted by your immediate manager except where this occurs during your probationary period
- make sure that appeals are heard by a more senior manager than the manager who chaired the initial hearing or meeting

**2.2 Who can accompany you to formal meetings and hearings?**

The individual policies detailed in Section 1 above will confirm when you have a right to be accompanied at a formal meeting or hearing.

**A companion can be either:**

- a representative of SKW Group who can fully participate in the hearing and offer ongoing support and guidance
- an officer of another trade union (who, unless they are employed by the union, must be certified as having the relevant experience or training)
- a workplace colleague

You should make your request to be accompanied before the hearing or meeting and your choice of companion should be appropriate. For example, it cannot be someone who will be required to give evidence during the proceedings. If your chosen companion is felt to be inappropriate, this will be discussed with you, and you will be asked to choose another companion.

At the hearing, if you wish them to do so, your companion may address the meeting or hearing to present or sum up your case, respond on your behalf to any views expressed and/or call an adjournment to confer with you. A companion may not prevent people at the meeting or hearing from making a contribution. Your companion may not give responses on your behalf except where they are a representative SKW Union.

You will need to make arrangements for your chosen companion or SKW Representative to attend a scheduled hearing or meeting. If your companion is unable to attend, you can request that it be rescheduled to take place within five working days of the original date.

If you are asked to accompany another employee at a formal hearing or meeting you will receive paid time off work to do so, although you do not need to agree to be a companion. If you are an accredited Disciplinary Officer you will be allowed paid time off work to provide representation to SKW members at formal hearings and meetings.

### **2.3 What are your responsibilities?**

As an employee you will:

- set a good example by demonstrating standards of performance and behaviour which are consistent with our values
- help maintain a working environment in which everyone is treated with dignity and respect
- be aware of the effect of your behaviour on others and make every effort to ensure that it does not cause offence to others
- challenge and report unacceptable behaviour and harassment
- raise concerns without undue delay and wherever possible seek informal resolution
- work hard to meet the performance, attendance and conduct standards required of you
- inform your manager of any factors which may affect your ability to perform in your role
- familiarise yourself with, and work within, our policies and procedures, seeking guidance when you need it
- co-operate with any formal investigation, provide accurate evidence and respect the confidentiality of the parties involved
- not raise malicious or spurious complaints
- support colleagues in raising a complaint or in acting as a companion
- fulfil your responsibilities explained below if you are also a manager

### **2.4 What are your manager's responsibilities?**

Your manager is required to:

- set a good example by demonstrating standards of performance and behaviour which are consistent with our values
- act in accordance with this policy and our Diversity and Inclusion Policy
- promote excellent team relations and open, honest and constructive communication
- clearly set out the standards that are required of you and discuss and agree with you a performance plan at the start of each year, which they will continue to discuss with you throughout the year
- provide you with the support, guidance and training necessary to help you achieve the required standards of behaviour and performance for your role
- monitor your performance, attendance and behaviour and attempt to resolve any issues that arise informally, in the first instance where this is possible
- where appropriate, take formal action, dealing with issues that arise promptly, fairly, consistently and constructively
- ensure all team members understand how to raise a concern, and feel confident to do so, without fear of victimisation or recrimination
- be sensitive to the concerns of their team and act immediately to address any complaints or signs of problems

- seek advice and guidance from HR where they need it
- maintain confidentiality at all times
- carry out investigations thoroughly, objectively and without unreasonable delay
- act in accordance with the authority levels set out in the policies governed by this policy
- when considering formal action or when hearing formal complaints, consider the facts of the case carefully and reasonably
- be responsive and supportive to any employee who either makes a complaint or is subject to action covered by a SKW policy
- be alert to unacceptable behaviour and take pro-active and appropriate action to ensure that where they see such behaviour it is swiftly addressed and stopped

## **2.5 What is the role of HR?**

HR provides support and guidance to both employees and managers and can help you by:

- providing you with support, guidance and advice on how the Fair Treatment at Work, related policies or other SKW policies affect you, and what your rights are under those policies
- ensuring that the principles of this policy are complied with
- providing advice and support to managers as to how to apply any of the policies governed by this policy, to ensure there is consistency of approach
- facilitating the informal resolution of issues by supporting all parties involved and providing mediation where it is appropriate to do so Where a policy refers to a Case Management Consultant this may also be a more senior role in HR.

## **2.6 How is confidentiality maintained?**

We will deal with any action taken under the Fair Treatment at Work Policy sensitively and with respect for the privacy of all individuals involved. You must therefore treat as confidential any information communicated to you in connection with any investigations or formal action. You, anyone accompanying you, or any witnesses, must not make any electronic recordings of any meetings or hearings conducted under any of the policies set out in section 1 above.

HR may, at their discretion, arrange for recordings to be taken at some formal hearings or meetings when appropriate. Where this is the case they will do so with the consent of those present and in line with procedures intended to safeguard the security and confidentiality of the information.

Authorised by: Samantha Stephenson



Position: Director

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