

Equality, Inclusion & Social Justice

We believe that it is the responsibility of every part of our organisation to honour and protect the rights, safety and dignity of the individuals who work for and with us and those of the people that visit us. The Castle Tap should be welcoming, accessible, inclusive and take responsibility for improving both ourselves and our surroundings.

This document forms part of the staff training manual and builds on the “Basic Policy & Procedure” document but it is made publicly visible as part of a bid to make sure that customers and people who work with us understand our procedures and values.

Statement

The pub should be for everyone.

Assume every person has value, a right to be treated with respect and the right to an equitable experience. Staff have the right to fair pay, equitable treatment, reasonable adjustments, training, support in their development and support whilst working. Customers are granted access to the pub, the attention of the staff, equitable access to and enjoyment of services especially the service of beverages until they forfeit those rights. You cannot forfeit these things because of something you **are** but you can because of something you **do** and most notably that is by treating someone else badly.

We aim to create an atmosphere where customers and staff feel empowered to protect those rights against those who would deny them. That is where everyone can stand up to people who are treating others badly and know they will be supported.

We will not accept any form of discrimination or harassment on any grounds including, *but not limited to*, actual or perceived race, religion/faith or spiritual beliefs, age, gender, gender expression or identity, health, sexual orientation, citizenship status, social class, past or present employment status, place of origin, marital status, or familial status. It is not tolerated on a staff-staff, staff-customer, customer-staff or customer-customer level and may be grounds for dismissal or exclusion from the premises. We also reject other things which create a hostile environment – this means zero-tolerance of bullying, keeping the space clear of discriminatory branding and not working with people who don't share our principles.

We commit to creating and maintaining an inclusive workplace; to hiring a diverse workforce and helping them thrive, and to implementing hiring, training, feedback and grievance processes that reflect and amplify a range of backgrounds and experiences.

We will make an effort to identify, understand and support staff and customers with additional needs; including, but not limited to, those with mobility problems, sensory impairments, chronic conditions and neurological divergence.

We aim to make sure that every customer finds it easy to get service and use the premises in a comfortable fashion. Our commitment is to ensuring that every customer is addressed personally, is treated on their own terms as their own authentic self and hopefully enjoys being in the pub.

For these practices to work we must also be accountable – that is to provide clear and safe means for people to tell us when we fail, to listen when marginalised voices speak and when people complain and to act accordingly.

Background Info & Basis for Action:

I. It is illegal under the Equality Act to discriminate against someone because of any of the 9 protected characteristics:

1. Age
2. Gender
3. Race
4. Disability
5. Religion
6. Pregnancy and maternity
7. Sexual orientation
8. Gender reassignment
9. Marriage and civil partnership

Note that in our policies and practices we explicitly extend these categories to also include gender expression and/or identity, perceived race, citizenship status, social class, place of origin and family structure.

We also believe that past employment status, previous incarceration or involvement in illegal activities are not necessarily indicators of future behaviour and that people are entitled to a fair chance.

Category terminology [See also Staff Training: Inclusion]

Disability in this legal context is a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on someone's ability to do normal daily activities and includes progressive conditions and certain specific diagnoses (like cancer). This means it can cover physical impairments, neurological conditions, learning disabilities and mental health problems. There are special rules relating to recurring and fluctuating conditions (like arthritis or MS).

Gender means the social and cultural characteristics of individuals normally assigned to masculine or feminine rather than to the biological sex or sex characteristics of a person. It can encompass identities outside of the mainstream binary. Gender expression is the means by which people communicate their sense of gender to others (including e.g. clothing). Gender reassignment is any medical procedure or treatment that allows a person to make their biological sex more closely match that traditionally associated with their gender identity or appropriate to their sense of self.

The definition of what discrimination might be or look like and ways it might occur varies under the Act depending on which protected characteristic is being considered but the main types are as follows:

Direct Discrimination -Where someone is treated less favourably than others would be treated because of the specific characteristic.

An example might be refusing a woman a cellar job without looking at her skills because it is assumed that she is less capable of managing beer.

Indirect discrimination is where there's a practice, policy or rule that applies to everyone in the same way, but it has a worse effect on some people than others.

An example is where a practice is applied to someone who is disabled and it is also applied to others who are not disabled which puts the disabled person at a disadvantage such as requiring all staff to work a specific set of shifts to be considered for a bonus despite medication regime requirements.

Note that there are some exceptions to this based on proportionality and legitimate purpose please ask if you want more information.

Discrimination by Association - If you are treated unfairly because someone you know or are associated with has a protected characteristic, this may be construed as discrimination by association.

For example – you are refused service because you are with someone who belongs to a particular race.

Discrimination by Perception – This can be receiving unfair treatment because someone thinks you belong to a group with protected characteristics.

For example – you are straight but an estate agency refuses to lease out a flat to you because they assume you are gay due to their misconceptions about how gay people look, dress or behave.

In our case discrimination could occur with regard to hiring, retention, promotion, staff interactions and offering or refusing service to customers.

Discrimination is therefore most obviously guarded against by identifying and removing systemic biases, preventing unfair relations between employer and employee or between levels of employee and ensuring that decisions made about when to serve, not serve or remove a customer are based on sound principles not because of personal biases.

We do this through the development and monitoring of our policies and regular training.

[[See further below](#)]

We also review how policies and rules *indirectly* affect both staff and customers on a regular basis; we screen products and advertising materials to ensure they don't contain offensive material; and we strive to call out customers and partners who treat others unfairly for whatever reason.

II. Harassment is any behaviour which causes distress, feelings of a lack of safety, or physical harm to another person based on their actual or perceived race, religion/faith or beliefs, age, gender, gender expression or identity, health, sexual orientation, citizenship status, social class, place of origin, marital status, or familial status. Any kind of sexual harassment against anyone, regardless of the identities of the people involved, is included.

Displays of derogatory or offensive pictures, graffiti, or materials towards people because of one of the identities listed above; demeaning remarks, jokes, innuendos about someone or remarks about an identity group in the presence of any individual, not necessarily a member of the group mentioned, can also be forms of harassment.

It is technically different under law to bullying but the difference between the two can be hard to determine.

Harassment often occurs from people with more actual or perceived power in the organization directed at those with less but can also take place within peer groups and could take place in either direction across the bar.

Harassment does not need to have malicious intent; the impacts on the person reporting the harassment must be addressed regardless of the intent.

Harassment is not:

- Consensual banter or romantic peer relationships, where the people involved consent to the interaction,
- Appropriate performance reviews, constructive feedback and critique, counselling, or discipline by a supervisor or manager

Typically bullying is systematic undermining of an individual for any reason (i.e. regardless of whether it relates to a protected characteristic or not). This includes behaviour that is intimidating, systematically belittling or exclusionary. It is never acceptable!

Bullying in the workplace may involve any of these actions:

- Spreading malicious rumours.
- Making offensive or intimidating comments.
- Picking on someone for no apparent reason.
- Being humiliated in front of colleagues.
- Denying training or promotion opportunities.
- Blamed unfairly for problems caused by others.
- Deliberately undermining a competent worker.
- Withholding information so that the job cannot be completed.
- Physical or verbal abuse.
- Regularly treated unfairly.
- Constantly making threats about job security without any cause.
- Constantly being set up to fail by imposing unreasonable or impossible deadlines or workloads.
- Exclusion from common activities.
- Unwelcome sexual advances, which could include touching, suggestive looks or sexual innuendo.
- Making work decisions based on sexual advances being accepted or thwarted.
- Overbearing supervision.

Harassment and bullying amongst the staff are grounds for disciplinary proceedings and can lead to dismissal [See [Statement of Employment: Code of Conduct and Disciplinary & Grievance Procedures](#)]. We also do not tolerate harassment or bullying of or by customers. – This means that customers can report staff for harassment which will be investigated and may lead to disciplinary action and that customers may be warned and/or removed for their behaviour. [See [“Serving Customers: Troubleshooting”](#) & [“Basic Policy: 7. Complaints”](#)]

III. The Workplace (Health, Safety and Welfare) Regulations 1992 Approved Code of Practice and guidance states:

'Regardless of their disability, people should be able to gain access to buildings and use the facilities. This could mean that an employer may need to make some changes to a building or premises to take account of the disabled person's needs.'

Similarly as well as protecting members of staff (and potential members of staff) from discrimination etc The Equality Act 2010 also requires that **'reasonable adjustments' are made when providing access to goods, facilities, services and premises.** This means that the pub must consider the accessibility needs of both staff and customers.

Under the Equality Act every Service Provider (i.e. the pub) must ask itself whether:

- the way it does things;
- any physical feature at its premises; or
- the absence of an auxiliary aid or service

puts disabled people, or others with a protected characteristic, at a substantial disadvantage compared with people who do not have that characteristic.

If a substantial (non-trivial) disadvantage does exist, then there is a duty to make reasonable adjustments.

The aim of the adjustments is to remove the disadvantage and it could involve:

- changes to the way things are done (such as changing a policy),
- changes to the built environment (such as making changes to the structure of a building to improve access)
- Or, provide auxiliary aids and services (such as providing information in an accessible format, an induction loop for customers with hearing aids, special computer software or additional staff support when using a service).

When deciding whether an adjustment is reasonable a service provider can consider amongst other things:

- how effective the change will be in assisting disabled people in general or a particular customer, client, service user or member;
- whether it can actually be done;
- the cost; and
- the organisation's resources and size.

This means it is our duty to do as much as is reasonably practicable to make changes to the pub to make it as accessible for staff and customers as possible. The 'reasonably practical' steps that we can take are limited both by the restrictions to building modification within the listed building status and by our limited funds as a micro business.

For our purposes, medical diagnosis and whether someone fits the strict legal definition are not the criteria for action in general since the concept of accessibility does not just apply to people with disabilities - all users will have different needs at different times and in different circumstances.

Someone's ability to use a e.g. a web service could be affected by their:

- location - they could be in a noisy corner, at a sunny table or in an area with slow wifi
- health - they may be tired, recovering from a stroke or have a broken arm

- equipment - they could be on a mobile phone or using an older browser

Accessibility is therefore about creating equity by removing barriers. We aim to create an environment where it is possible for people to enjoy themselves safely regardless of their different physical capabilities, neurological patterns or psychological well-being at any given point and to make it easy to ask for assistance where it is not immediately obvious. When we think about accessibility we have to think about how people get around the building but also about how they get information, how they communicate and what things allow them to thrive.

Our policies, training documents and risk assessments are written with accessibility in mind and include a variety of alternative provisions BUT this is an area which needs constant review and improvement as well as tailoring to individual circumstances. but we aim to continuously improve through personalised work plans for staff, regular training and accountability especially a commitment to responsiveness to feedback.

Customer Experience

- **We have signed up to the Everyone Welcome Initiative**

Staff should make customers feel like they are welcome in the pub and strive to make the experience of finding a space and getting a drink as smooth as possible.

First and foremost, Customers should feel safe to express their identity without fear of harassment. We will not accept any form of discrimination or harassment on any grounds including, but not limited to, actual or perceived race, religion/faith or spiritual beliefs, age, gender, gender expression or identity, health, sexual orientation, citizenship status, social class, place of origin, marital status, or familial status.

Customers engaging in conversations that involve derogatory comments or words and phrases that we feel are discriminatory, that seem to be harassing an individual or that make our other clientele or staff uncomfortable, will be warned once, if it continues they will be asked to leave. This may lead to permanent exclusion from the premises depending on circumstances. Warnings and further action may occur either when a member of staff witnesses the behaviour directly or because of investigation after a complaint by a customer.

We will always seek to protect our customers in the event of any form of discrimination or concern for safety; if someone feels unsafe at any point they should please say the phrase “Is Cody About?” to a member of staff who will immediately move them to a safe area and ensure their well-being.

Staff should refer to Training documents [sections: [“In an Emergency”](#) and [“Serving Customers: Troubleshooting”](#)] or talk to a manager for best practice in these situations.

Discrimination and harassment may not stem directly from malicious intent – they could be the result of unconscious biases or done with humorous intent without realisation that it is hurtful but that does not mean that it should be tolerated. Staff should seek to stop behaviours and where possible educate in order to ensure it doesn't happen again thereby improving the environment longer term and/or remove the persons if appropriate.

Staff are encouraged to use their own discretion to judge whether someone is acting in a discriminatory fashion- e.g. if you find the joke to be hurtfully offensive there is a very good chance it is discriminatory; if you are made to feel uncomfortable it is probably discriminatory; if you find it distasteful it may be worthy of a caution before an outright ban etc – however we also recognise that staff may be unsure about comments because of cultural variations and/or feel unable to call out comments for personal safety reasons, if this is the case they should report the matter to a manager (see [Training: Troubleshooting](#)) and allow the manager to take further steps.

The manager MUST report back to the member of staff about steps taken and reasons for the decision. If the member of staff is still uncomfortable this should be taken to mediation. When in doubt the safety and wellbeing of the member of staff must be first priority since they cannot leave the situation.

Customer attitudes are greatly affected by the overall ambience of the pub so marginalised people are more likely to feel intimidated and bigots are more likely to feel empowered if the environment itself does not also reflect our values. As such, we will not display artwork nor

stock products with branding that is sexist, racist, homophobic, transphobic, ableist or discriminatory in any other way and we will challenge materials that appear to make use of cultural appropriation.

This also means making sure that customers are able to find a space that suits their needs without causing a sense of unwelcome “Otherness”.

Equity calls for us to remove the barriers to using the pub – the physical difficulties, the sensory difficulties, the psychological and emotional barriers, the knowledge gaps and the neurological overloads; we should every day meet, accept and work with individuals to find the best ways for them to enjoy our space. Customers should not be intimidated by the noise levels, behaviour of other customers or their own familiarity with pubs or the drinks we serve.

As well as removing the social barriers of discrimination this obviously includes the ongoing process of adapting spaces to make them easier to navigate for example whilst mobility or visually impaired and educating staff to empower each other and customers.

We use contrasting colours to highlight hazards and have thought carefully about the lighting and sound levels around the pub. We use both audio and visual signals to help with evacuation. The pub has ramp access, extra space between tables and an enlarged toilet cubicle to help people with mobility impairments.

Additionally all our bathroom spaces are gender neutral as we believe that gendered toilets can cause difficulties for Trans, Non-Binary and Gender non-conforming people. As well as individuals choosing whether cubicle or urinal feels more appropriate to them, parents should feel free to change their child wherever is most safe, hygienic and convenient.

It is also especially important to us to ensure that there are quiet spaces dotted around the pub. Whilst these might vary depending on the activities happening they offer a vital refuge for people with a range of psychological and neurological conditions as well as allowing people who are hard of hearing and/or audio sensitive a break.

We also believe that the key element to promoting a safe and accessible space is promoting communication. This includes training for staff in recognising and reacting to different communication needs because of sensory impairments or because of other differences, for example looking out for non-verbal communication in the autistic community & listening patiently to customers with impediments to speech such as those that may be caused by cerebral palsy as well as understanding that there might be psychological or neurological reasons it could be difficult to express certain needs or problems. Furthermore the Web Content Accessibility Guidelines have helped us not just develop the website but also look at the way we write menus and documents particularly in terms of understandability as well as sensory perception.

Communication as part of Accessibility includes the idea that staff make no assumptions or judgements about the customer's knowledge of the products, personal tastes or needs. The pub aims to create an environment where trained staff are able to answer questions and help customers make a drink or snack selection pro-actively but without intrusion.

It also means that customers should find it easy to ask for assistance and give feedback either directly or online as appropriate.

See also Accountability below which includes Customer comment and complaint procedures.

Staff Responsibilities

Harassment

All staff have the responsibility to treat each other and customers with respect, to learn about differences and to refrain from discrimination and harassment. They are encouraged to speak up if they or someone else is being harassed in the workplace or if they feel conduct is heading in that direction and they are further encouraged to report harassment to the appropriate person and keep a record if possible.

See [Statement of Employment: Code of Conduct and Disciplinary & Grievance Procedure](#)

Together through training staff have a responsibility to understand their own biases and to work on reducing systemic discrimination. Managers have a specific responsibility to support staff through training and procedures to recognise harassment and discrimination, to understand how they can report it and to watch out for harassment and bullying in their own procedures and throughout the organisation.

Staff also have the responsibility to support customers who are being harassed or discriminated against by other customers where possible (although not at the expense of their own health or safety) and to move people to a safe space and/or de-escalate issues where they can.

Staff should **never** hesitate to call the police if the matter warrants it, any form of the discriminations mentioned are illegal and can be dealt with under the law. They should also be aware that anonymous reporting options are available as are cheap and/or free advice lines.

To report an incident to the police by phone, call 101.

Relay UK - if you can't hear or speak on the phone, you can type what you want to say: 18001 then 101.

[Stop Homophobic, Transphobic, Racial, Religious & Disability Hate Crime - True Vision \(report-it.org.uk\)](http://report-it.org.uk)

If they feel it is appropriate, they can also ask a manager to call on their behalf.

All Staff and managers have a responsibility to proactively listen to the concerns of their colleagues and customers and to act or help other act in response to concerns.

Although it can be hard, listen when people talk to you about their experience, just because you may not agree does not mean that the comment is not important. Try not to be defensive in the face of criticism but accept and learn even when that hurts and takes time.

Accessibility

First and foremost staff have a responsibility to themselves – to make sure that we support them in doing the best job that they can both by improving the environment and through education; to let us know what they need and to hold us to account in improving their situation especially with regard to mental health. They also have a responsibility to respect and uplift their peers.

In addition, Staff are responsible for paying attention to customers on an individual level and for making sure it is possible for them to find as comfortable a space in the pub as possible, giving them the opportunity to find out about the options available are, order and receive drinks without stress and be treated with dignity.

Staff are also responsible for ensuring that customers can safely use the facilities and for offering appropriate assistance in the event of an emergency.

In practice this means that staff should make an effort to identify, understand and accommodate customers with additional needs. Staff should think about ways they can assist people to come in and to be able to find their way about; what people might need to be understood; how to make it easier and safer to use the bathroom; and, what, if any, extra help might need to be considered if evacuation were to be necessary.

Staff have a responsibility to use their training to try and recognise the difference between customers who are impaired through intoxication and those who might for example stumble, spill their drink or slur their words because of physical or neurological issues or because of medication side effects. [See [Staff Training: Customer Service- Know your Customer](#)].

This responsibility extends then to practicing and improving alternative communication methods and to learning how to support people when issues caused by, for example, seizure disorders or diabetes or chronic pain etc affect their experience of the pub - in order to make the space accessible we should be responsive and adaptable.

Staff should be confident in offering different types of help for different scenarios but also accommodate individuals own approaches with grace and sensitivity and above all respect the autonomy of each customer. – Always Ask & Always Take No for an Answer - Consent Matters.

Finally, Staff have a responsibility to make knowledge accessible – that is to share their understanding of the drinks we serve and why we serve them the way that we do. If possible they should also share their understanding of why diversity, equity and access matter.

Management Responsibilities

The first responsibility of management is to create and maintain the Ethos of the pub; that is to insist on a workplace and community space that embodies our values. We do this by creating a healthy environment – one that is safe, respectful, communicative, collaborative, sustainable & optimistic – and by modelling positive behaviour and moral engagement.

In ourselves we must be personable and approachable, reliable and trustworthy, encourage peer support, offer praise and empathy and be willing to learn. We must also make sure that we articulate our aims and values explicitly in all areas of the business so that people are able to understand our choices and where necessary point out where we have not lived up to our own standards.

Furthermore as well as organisational culture, there are a number of other specific areas that management are responsible for which contribute to the overall situation; namely recruitment, staff development, connection to community and accountability.

Workforce: Recruitment & Development

Management have a responsibility to make sure that the workforce represent not just the diversity of our client base but also the community that surrounds us and that means reaching out to encourage groups that are less represented to become members of staff so that not only can customers see staff that they relate to but also that the local community can see a benefit to their situation via jobs and experience regardless of whether they ever use the pub.

To do this we frame our recruitment in a non-biased way and aim to place job announcements where they will reach a more complete representation of the community's labour force. We also aim to explicitly frame recruitment around a range of skills or personal strengths rather than specific qualifications of extensive experience in order to bring new perspectives to roles and to involve the team in identifying communities or identities that are under-represented.

Additionally management are responsible for ensuring that the process of selection is fair, unbiased, transparent, robust and offers suitable accommodations for candidate's needs.

It should especially be noted that whilst currently all roles in the company may potentially involve the sale of alcohol (and are therefore subject to certain legal requirements) no one needs to consume or have ever consumed alcohol to work with us.

We are committed to a training regime that begins as soon as people are hired and lasts throughout their time with us. The management is therefore responsible for delivering an entrance to the job training that covers policy on diversity, equity and harassment, discusses handling difficult customers and managing accessibility. It should then work to educate people on specific inequities and problems that might be encountered. This includes looking at inherent bias, intersectionality, and management of common and less common health conditions as well as providing the means to improve their knowledge of the industry and advance their career if they wish.

Overall the management is responsible for providing a mix of compulsory and personalised training that is relevant to the people involved, helps them fulfil their role and responsibilities and fits within their work-schedule.

Typically roles within the company are non-linear and are based on the amount of responsibility staff want to take on as well as their individual skills but pathways to greater responsibility will require staff to show a commitment to the values of the company including equity and diversity as well as demonstrating that they have the capability to undertake the role. All equivalent roles have the same rates of pay – see [Statement of Employment & Staff Handbook: Staff Duties](#)

Connection to Community

Our community means the people who drink in the pub, especially those who drink there regularly, the people who live around the pub regardless of whether they come in, the people who make and distribute the products we sell, fellow publicans and the artists, businesses and charities that we work with on a regular basis. Supporting and improving our community means offering help, speaking out and pushing for it to be a fair, diverse and welcoming one.

Firstly, we will not work with people who have shown themselves to be discriminatory or who have failed to address toxic behaviours amongst their staff.

We have written and distributed a [Partnership Policy](#) to facilitate this.

Secondly, we commit to actively seeking out a diverse range of partners: (Eg Street food traders, artists and musicians) and to showcase their work fairly and in a way that they don't feel is tokenistic or exploitative. We aim to monitor how many of our partners self-identity as part of a minority and steadily improve the proportions thus we plan to set ourselves targets around the number of different groups we approach and monitor what we achieve.

Thirdly we aim to give back – we look to support groups and charities that work actively within our communities by offering them time and space as well as by raising awareness and running fundraisers. We support charities and not-for-profit groups that are nominated by people within our community or that directly work with it and aim to monitor how many of these specifically address inequities within the community e.g. by targeting training at people from minority backgrounds or by offering leadership roles to different types of candidates.

Accountability

Accountability means how we gather and react to feedback from staff, customers and the wider community. It is not simply responding to complaints it is also about checking in with ourselves and ensuring that we are still meeting our goals and striving to improve.

This means making plans, setting goals and standards and reporting back on where we have or have not met them. We want to encourage people within the community of the pub to help set those goals. To achieve this we start by talking to staff at personal reviews and training sessions about what they want to achieve and what directions they see us moving in and then we extend this out to discussing ideas with people at our events, putting out messages on social media and signposting methods of communicating via our website and app etc.

In order to check back on how we are doing as well as reports for staff we are actively looking at groups within the industry that we can use for mutual support.

It is vital that people know how to give feedback – positive and negative – and they are able to do so safely and that they can see the impact of that feedback.

This means that we make our policy on complaints clear. It is reproduced below:

Complaints & Feedback

All complaints (from customers OR staff) will be taken seriously and handled promptly; in all cases this includes logging the complaint, investigating it, taking steps to rectify the issue as required, offering the complainant a response and giving them the opportunity to follow up the matter further. The steps taken and response made shall be proportional to the type of complaint and will depend on its nature but may include: free or replacement drinks, removal of customers, staff re-training, disciplinary action including dismissal, or change of procedure, followed by an apology and/or explanation of the steps taken. In some cases no action may be taken, the reason for this decision will be fully explained to the complainant unless doing so would result in a breach of confidentiality.

Refunds will not normally be given but may be applicable in some circumstances.

Customers can make a complaint directly to a member of staff working or they can ask that an issue be referred to a manager.

Where possible a member of staff will deal with a complaint immediately and make a note of what the complainant said and what they did about it either in the “incident” log book or in the separate complaint book. If they do not have the authority or expertise to deal with the issue they should contact the designated line-manager for the shift as soon as possible to see if they can deal with the issue or complaint immediately. Staff should also be able to take and give out the appropriate contact details so that complainant can contact managers who can respond or arrange a follow-up meeting as seems appropriate.

Some specific guidelines also apply:

- Complaints may be made anonymously or the complainant may request that their identity not be revealed to members of staff and this will be honoured unless there is a legal reason not to, a safety issue arises or if parties agree to mediation.
- Confidentiality is an extremely serious issue. Significant personal harm and damage to reputation can come to a party through inappropriate breaches of confidentiality, including harm created by innuendo and gossip. Trust in confidentiality also encourages people to come forward with their complaint.
 - At the same time, those involved in a complaint have a right to be given enough information so that they are able to respond and to defend their interests. Confidentiality is different from anonymity. An individual complainant that wishes to seek informal or formal resolution should be prepared that discussion of a particular event to the respondent where it is appropriate may make their identity obvious – this will be discussed with the complainant.
- Where a complaint is made about the service or general conduct of a member of staff that member of staff will always be asked to privately give an account of their actions to the investigator as soon as practically possible. If appropriate other accounts may also be sought in order to help decide the best course of action. The complaint recording system (which will not be available to members of the public but may be used as part of an external mediation) will enable persistent problems to be identified.
- Where a complaint is made about a customer that customer will have the complaint explained to them but the investigator may decide not to reveal identity of the complainant at their discretion even if they have not formally been asked to conceal it.

A number of complaints against an individual may result in them being excluded but repeated unjustifiable complaints may be considered harassment and dealt with as such.

- Where a legitimate complaint is made about the quality of a drink or food stuff every effort will be made to replace it with the nearest equivalent to the complainants satisfaction. A complaint about the quality of a consumable whereby the complainant has already consumed the majority of it is unlikely to be considered a legitimate complaint. Complaints about the quality of food or drinks should always result in quality control checks of any remaining stock from the same batch.
- Where a complaint is made about the condition of the facilities staff will aim to investigate and rectify the issue as soon as safely possible. This may result in some disruption to service or reduced facilities in the interim.

Management

Any feedback on responses made to complaints should be directed to the management. Their decision on steps taken and responses offered will be final.

Staff Disciplinary & Grievance Procedures

This document is prepared in consideration of the guidelines outlined by the ACAS code of practice and where there is doubt those guidelines should be consulted. If this document is amended for any reason a new dated version will be provided to all employees as soon as possible and will be valid from date of receipt.

In all situations employees are entitled to bring reasonable representation of their choice to any formal disciplinary or grievance meeting and to appeal.

In all situations the employer should act to address a grievance or disciplinary issue as promptly as possible and must (except where it is impossible because of holiday or sick leave) begin procedures within 28 days.

Part 1: Disciplinary

There are 3 types of scenario whereby the company may need to consider disciplinary action against an employee. In order of severity (most serious first) they are:

1. In the case of gross misconduct
2. In the case of management allegation of (i) procedural failures (including inadequate performance) or (ii) misconduct
3. In the case of a customer or employee complaint against said employee

In all situations the employer will inform the employee of the basis of the complaint and carry out an investigation to establish what has happened. This will include a non-prejudicial interview with the employee to allow them to put their case forward and examining records of events from third parties as required/available.

Employee is not required to bring representation to investigatory interviews but may do so if they wish.

In all situations if the employee is found **not** to have committed a breach then **no** further action will be taken except at the employee's request. The investigation may be held in general confidential files for management reference purposes but is not kept on an individual's file.

However where the evidence is in question or appears to show a breach the employee will be informed in writing and (except in circumstances outlined under situation 3) will be offered the choice either to have a disciplinary hearing with a manager/managing director or to accept the findings and actions outlined.

A disciplinary hearing should be at a mutually convenient time with the employee given enough time to prepare any evidence or mitigation (including lack of training or unclear procedures) that they think is appropriate. The hearing may either find that the breach has been committed and then disciplinary steps shall be taken as below or a lesser breach may be found/ mitigation may be taken into account and the action appropriate to that will be followed or the issue may be dropped.

Relevant findings, decisions and actions shall be noted on the employee's confidential personnel file and dated for future reference.

The management team recognises that as a very small business it may not always be possible to have a separate individuals conducting the investigation, hearing and appeals – if the employee requests someone different it may be necessary to involve parties outside of the organisation, this cost should be shared between employee and employer unless otherwise decided during the process.

Only the directors of the company may make final dismissal decisions.

In situation 1 –

If the employee is found to have committed any of the offences listed in Appendix A part 2 then they shall be subject to immediate dismissal. They will only be entitled to any pay outstanding from hours already worked.

In situation 2 –

- in the first instance, if the employee is found in breach of procedure (i) they shall be subject to mandatory retraining and if they are found to have acted inappropriately (ii) they may be subject to a clearly outlined period of supervised working hours;
- in the second instance, in both cases (i & ii), they will receive an initial warning clearly outlining their breaches with a reminder of relevant procedures etc and consequences of further breaches;
- in the third instance, they shall be given a formal final warning again clearly outlining their breaches and consequences this may include specific required targets;
- any further breach should result in dismissal subject to 2 weeks notice period.

An employee maybe considered to be on their first breach if it has been more than 6 months since they received an initial warning and/or more than 18 months since they received a final warning

OR if the investigation/hearing finds that the breach is in a sufficiently different area of procedure/behaviour to not be covered under the previous warning **unless** 2 warnings of a similar severity are also listed against the employee.

In situation 3 –

If the investigation finds evidence that the circumstances leading to the complaint warrant it then the employer may proceed as for situation 1 or 2.

If the investigation finds that there is no evidence of grounds for the complaint or that the complaint was made with malicious intent then no further action shall be taken against the employee **but** mediation will be offered or proceedings may be begun against the original complainant as appropriate.

If the investigation finds insufficient evidence to determine whether there has been a full breach of conduct or the complaint is not directly related to procedures, has not been covered in training or is of a trivial nature;

- in the first instance an informal discussion shall be held;
- in the second instance where a complaint is about a similar issue (re)training shall be given and/or where the complaint is made by the same individual then mediation will be offered;
- in the third instance the employee will be offered a disciplinary hearing and may be subject to a period of supervised working hours;
- Further complaints may be treated as breaches of conduct as per situation 2 and be treated as 2nd instance of that type and so on.

Where repeated complaints of a similar nature are made against the same or different employees the employer shall investigate whether procedures and training are fit for purpose – findings here may be considered in mitigation.

Any employee has the right to appeal against any formal disciplinary or dismissal decision made; the procedure is as follows:

If you are dissatisfied you should apply for a review within 7 days *in writing* to:

Trelowen Mor Ltd
6 Wilton Rd
Reading
RG30 2SS

This application should give the date of the original decision (warning/dismissal) and whether the employee wants to i) offer new evidence ii) offer mitigation iii) allege failures in the original procedure iv) other.

Once the application is received management must offer no less than 3 dates for an appeal review board.

Unless there is good reason the appeal will be heard by no less than 2 of the managing directors and if the employee requests it, where possible, the manager who conducted the original hearing will not have an active role. It is recommended that the employee brings representation with them to an appeal board.

The appeal hearing may decide to uphold the original decision; reduce it to a lesser disciplinary issue or dismiss the issue completely.

Subsequent appeals must be made via external mediation services.

Part 2: Complaints & Grievances

Employees may at any stage of their employment wish to raise problems with the company; these may include dissatisfaction with existing procedures or a specific problem with a

colleague or manager. For example, where they believe that bullying is occurring or where health and safety concerns are not being addressed.

It is helpful if when you raise a concern you can be specific about the problem and clear if you have a preferred solution. This might mean that you find it easier to explain if you write it down and that other people might find it easier to understand if you are able to give specific examples (e.g. descriptions of events, notes on your training sheets or photos of broken items).

This might also help if an issue needs to be investigated or has to be taken to an external body at a later point but don't worry if you can't do these things they are not necessary to be taken seriously and not necessary to get things changed.

The company will always aim to investigate and settle any problems as quickly as reasonably possible and to do so without the need for formal proceedings. As well as speaking to a manager during your shift, some suggestions for this are:

- Raising concerns and queries for general discussion at staff meetings either in advance when the meeting is scheduled so a manager can bring it to the agenda anonymously or during Any Other Business
- Raising concerns and queries during scheduled one-to-one meetings
- Asking for an Extra One-to-One meeting to discuss issues and possible solutions
- Asking for a mediated meeting to discuss issues and possible solutions

Some next steps and solutions which may be implemented include:

- Review and rewrite procedures
- Review of training procedures & retraining or new training
- Individual Retraining
- Mediation

Where an employee cannot discuss the issue with their line manager or where informal discussions have failed to address the problem they should progress as follows:

The employee should notify the company of their specific grievance in writing.

Once the grievance has been received a meeting should be set up as soon as reasonably practicable in order to discuss the specifics of the issue and for the employee to outline what they would like to happen. If you would like to make sure specific people are involved in the discussion or are not present at the initial fact-finding meeting please do notify us.

If necessary an investigation may be appropriate to further consider the issue and the meeting should be adjourned to a later date to achieve this.

Workers are reminded that they may bring representation/support to any complaints based meeting. Workers have a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by the employer to the worker. So this would apply where the complaint is, for example, that the employer is not honouring the worker's contract, or is in breach of legislation.

Following the meeting a decision will be made about what action (if any) is appropriate and the employee will be informed of the decision in writing. Where possible a decision will be made with the input of the directorial team and reasons for the decision will also be given in writing.

If the employee is dissatisfied with the decision they are entitled to appeal. An appeal should

be made in writing within 7 days of receiving their written notification (which will contain information on appealing).