Breach of Policy, Terms & Conditions Penalties Policy

PRN-009: Breach of Policy, Terms & Conditions Penalties Policy
Company Name: AI Auto-Tech Ltd
Trading/Business Name: CAREHOPES
Company Registration Number: 15556946
SIC Code: 88100 – Social Work Activities Without Accommodation for the Elderly and Disabled
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Version Number: V01 20260815
Date of Review: (August 2026)

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1. Introduction

CAREHOPES (TC) is committed to maintaining a safe, professional, ethical, and legally compliant environment for clients, companions, volunteers, staff, and organisational partners. This Breach of Policy, Terms & Conditions Penalties Policy outlines how TC responds to violations of organisational rules, safeguarding standards, contractual obligations, and professional conduct expectations.

The policy ensures:

- fairness
- consistency
- transparency
- safeguarding compliance
- legal alignment
- organisational stability
- protection of vulnerable individuals

2. Purpose of the Policy

The purpose of this policy is to:

- define what constitutes a breach
- categorise breach severity
- outline disciplinary penalties
- protect TC's safeguarding and operational integrity
- ensure fair treatment of all stakeholders

- provide a clear escalation framework
- support continuous improvement and accountability

3. Scope of the Policy

This policy applies to:

- companions
- volunteers
- permanent staff
- fixed-term staff
- contract staff
- clients
- sponsors
- organisational partners
- affiliates
- referral partners

Different penalties apply depending on the stakeholder category.

4. What Constitutes a Breach

A breach occurs when any stakeholder:

- violates TC policies
- breaches contract terms
- disregards safeguarding rules
- engages in misconduct
- fails to follow professional boundaries
- engages in behaviour that risks safety or reputation
- refuses reasonable instructions
- engages in financial misconduct
- breaches confidentiality
- violates UK laws applicable to TC operations

5. Severity Classifications of Breaches

5.1. Minor Misconduct

Examples include:

- poor timekeeping
- minor rudeness
- minor safety lapses
- failure to follow simple instructions
- occasional lateness
- minor administrative errors

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

5.2. General / Serious Misconduct

Examples include:

- repeated minor misconduct
- moderate insubordination
- failing to perform job duties
- breach of professional boundaries
- unauthorised communication with clients
- refusal to follow TC procedures
- misuse of TC property
- inappropriate behaviour

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5.3. Gross Misconduct

Examples include:

- theft
- fraud
- physical violence
- harassment
- discrimination

- gross negligence
- major health & safety violations
- safeguarding violations
- financial exploitation
- accepting private payments
- transporting clients in private vehicles
- breach of confidentiality
- falsifying documents
- serious breach of trust

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

Gross misconduct may result in **immediate dismissal**.

6. Categories of Disciplinary Penalties

TC follows UK best practices for disciplinary procedures.

6.1. Informal Warning

A quiet, undocumented conversation with a manager for:

- minor, one-off issues
- early behavioural concerns
- small misunderstandings

Used to encourage improvement without formal action.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

6.2. First Written Warning

Issued for:

- standard misconduct
- repeated minor issues
- performance concerns
- breach of boundaries
- failure to follow instructions

Kept on file for a defined period.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

6.3. Final Written Warning

Issued for:

- repeated misconduct
- serious misconduct
- a single significant breach
- behaviour approaching gross misconduct

Indicates that further breaches may lead to dismissal.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

6.4. Action Short of Dismissal

Rare penalties such as:

- temporary suspension
- demotion
- loss of seniority
- loss of pay increments
- mandatory retraining
- restricted duties

Used when dismissal is avoidable but serious correction is required.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

6.5. Dismissal With Notice

Used when:

- warnings have failed
- misconduct continues
- performance does not improve
- serious breaches occur

Employee works or is paid through their contractual notice period.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

6.6. Summary Dismissal (Dismissal Without Notice)

Immediate termination for **proven gross misconduct**, including:

- safeguarding violations
- violence
- fraud
- theft
- major negligence
- serious boundary breaches
- financial exploitation
- transporting clients in private vehicles
- accepting private payments
- harassment
- discrimination

No notice or pay in lieu of notice is provided.

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

7. Penalties for Non-Employee Stakeholders

7.1. Clients

Penalties may include:

- written warnings
- suspension of service
- contract termination
- refusal of future service

Reasons include:

- harassment of companions
- unsafe environments

- breach of communication rules
- refusal to follow safeguarding instructions
- attempts to negotiate private payments
- repeated cancellations

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

7.2. Sponsors

Penalties may include:

- written warnings
- suspension of service
- contract termination
- refusal of future partnership

Reasons include:

- breach of contract
- unsafe conditions
- financial misconduct
- inappropriate demands
- boundary violations

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

7.3. Organisational Partners

Penalties may include:

- formal warnings
- suspension of partnership
- termination of partnership
- legal escalation

Reasons include:

- breach of safeguarding
- failure to provide accurate risk information

- unsafe environments
- repeated policy violations

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

7.4. Affiliates & Referral Partners

Penalties may include:

- removal from referral programme
- loss of referral privileges
- termination of partnership

Reasons include:

- fraudulent referrals
- misrepresentation
- breach of referral rules
- financial misconduct

This list is unexhausted and can be further defined by responsible authorities according to the constitution of the UK or relevant legislations.

8. Investigation Process

All breaches undergo:

- fact-finding
- evidence review
- witness statements (if applicable)
- safeguarding assessment
- HR involvement (for staff)
- management review

Investigations must be:

- fair
- unbiased
- confidential
- timely

9. Suspension During Investigation

Staff may be suspended:

- with pay
- without prejudice
- without assumption of guilt

Suspension is a protective measure, not a penalty.

10. Right to Representation

During formal disciplinary meetings, staff may be accompanied by:

- a union representative
- a colleague
- a legal representative (where applicable)

Clients and sponsors may bring:

- a support person
- an advocate
- a legal representative (where applicable)

11. Appeals

All stakeholders have the right to appeal disciplinary decisions.

Appeals must be:

- submitted in writing
- within 7–14 days (depending on contract type)
- reviewed by a senior manager or board representative

12. Safeguarding Priority

Safeguarding overrides all other considerations.

If a breach threatens:

- client safety
- companion safety
- public safety
- organisational integrity

TC may take **immediate action**, including suspension or termination.

13. Documentation & Record-Keeping

All disciplinary actions must be:

- documented
- stored securely
- accessible only to authorised personnel
- retained according to UK data retention standards

14. Amendments to This Policy

TC may update this policy to reflect:

- legal changes
- safeguarding updates
- operational improvements
- governance decisions

Updates will be communicated through official TC channels.