

**EMPLOYEE  
HANDBOOK -  
Staff  
Rules**

## GUARDIAN ELECTRICAL COMPLIANCE LTD

### STAFF RULES

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## **GUARDIAN ELECTRICAL COMPLIANCE LTD**

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#### **1. Scope and Application of Employee Handbook**

This Employee Handbook (known as Staff Rules) is intended to provide Employees with direction as to their responsibilities towards the Company throughout and in some cases beyond the duration of their employment.

They are to be read and applied in conjunction with individual Contracts of Employment and are binding on all Employees subject to their applicability. They apply to all Employees of Guardian Electrical Compliance Ltd (also known hereafter as the Company).

Collateral documents, such as the various Company Policies listed in the Appendix, are also part of the terms and conditions of all Employees and must be complied with.

This document and collateral documents may be amended at any time as the need arises. Whilst they are part of Employee terms and conditions, changes will not necessarily give rise to the reissue and completion of new Contracts of Employment. All changes will be notified to Employees and posted on the Company Web Site or in some other suitable medium, so as to give ample opportunity for comment, or to notify management of any disagreement with the changes made.

For the avoidance of doubt the terms Employer, Employee, operative, the use of the male pronoun and any other terms used in these rules are intended to apply equally to men and women.

#### **2. Meaning of key terms**

Key terms have been used in this document and their meanings are as follows:

- Company** - Guardian Electrical Compliance Ltd (Guardian)
- Employer** - the Company as a corporate entity as well as individual authorised members of staff
- Employee** - any person directly employed by the Company (subcontractors are covered by separate agreements)
- Line Manager** - the authorised member of staff immediately responsible for giving the Employee instructions and direction etc.  
This may include Directors, Supervisors, Heads of Department etc.

#### **3. Commencement of Employment**

All Employees join Guardian for an initial probationary period of three months. During this period the Employee's work performance and general suitability will be assessed and, if it is satisfactory, the employment will continue.

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Following successful completion of the probationary period a Contract of Employment will be entered into which will remain in force for the rest of the employment. Permanent employment is conditional on the Employee signing a formal Contract of Employment.

If however an individual's work performance is not up to the required standard, or they are considered to be generally unsuitable, the Company may either take remedial action (which may include the extension of the probationary period) or terminate the employment at any time.

*We reserve the right not to apply our full contractual capability and disciplinary procedures during this probationary period.*

#### **4. Induction Training**

At the commencement of employment all Employees will undergo Induction Training. This procedure has been formalised and follows a standard format for all new Employees.

#### **5. Health & Safety**

In compliance with the Health & Safety at Work Act 1974, Section 2(3) the Company has produced and revises a Health and Safety Policy and Statement.

The policy outlines the responsibilities of Employees with regards to health and safety. Noncompliance with the Company Health & Safety Policy may constitute gross misconduct.

A copy of the Policy and Statement will be issued to Employees upon their commencement with the Company as a separate section within these Rules.

Employees have a duty to read and familiarise themselves with the contents of the policy.

Any questions arising from this can be directed to either the Safety Director John Quick or their Line Manager.

#### **6. Training**

The Company is committed to investment in their Employees and in keeping with that commitment have resolved to create excellence within the Company through continuous improvement and development of their Employees.

The Company encourages Employees to undertake training designed to enhance their abilities and improve their prospects. The Company is therefore willing to give support to studies that are relevant to the Employee's present position or future prospects within the Company.

Courses may be run by local colleges, universities or external training providers and may take the form of evening classes, day release or correspondence courses.

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Any Employee who identifies a training course in line with their current position and future prospects within the Company should discuss the training with their line manager. Additionally there may be an opportunity to do so during individual appraisals.

The Line Manager will then determine along with another member of the management team what support if any the Company should give for the training.

Subject to the overriding commitment of the workload of the Employee's department, Company support may include:

- Time off with pay for day – release.
- Time off with pay for examinations held during normal working hours.

Should the Employee be in any doubt as to the suitability of courses then they should consult with their Line Manager.

Should any operative leave the Company within 12 months of receiving non-legislative training, the Company reserves the right to recover all or part of any related costs.

#### **7. Hours of Work**

All Office based Employees are expected to work a minimum 37.5 hours per week and standard hours of work for these is generally from 8.30am to 16.30pm, the Contract of Employment will indicate the hours of work that apply in individual cases.

Site based operatives generally work a 45 hour week with start and finish times to suit the requirements of the contract work they have been assigned to.

##### **7.1 Field Operatives / Managerial Staff/Surveyors and External Sales Staff**

The prime responsibility of this category of Employee is to effectively accomplish the particular tasks required of them by the Company in response to the needs of the project work or the requirements and arrangements of the Client and the contract.

Intermittent and sometimes extensive travelling may preclude against regular and fixed hours of work, as will the varying demands of individual Clients or projects, coupled with the individual's effort to achieve the desired result.

Subject to the foregoing, the line manager with responsibility for managing such Employees is authorised to vary their hours of work to suit particular circumstances, subject only to the requirement of maintaining an adequate staffing during 'standard' working hours of business.

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#### **7.2 Administrative / Clerical and Office based Staff**

In normal circumstances these members of staff shall work a 37.5 hour week.

#### **7.3 Working Time (Amendment) Regulations 2007**

The Working Time (Amendment) Regulations 2007 are in force as a result of a European Directive.

Amongst other things the effect of the legislation is to ensure that an Employee cannot be forced to work more than an average of 48 hours over any 17 week period if they do not wish to do so.

In view of the established work patterns that exist within the Company, the Working Time Regulations are not expected to effect the majority of office based Employee they may however affect field operatives. Instances where the Regulations do affect Employee will be addressed by the Management.

#### **7.4 Standard Office Opening Times**

Head Office opening hours 8:00am to 16:30pm Mon – Fri  
(Some Employees elect to work from 7:30 am to 15:30 pm on Fridays only)

All Other Offices 8.00am to 16.30pm Mon – Fri

#### **7.5 Work / Lunch Breaks**

There are no specified times for work breaks during the day as most jobs / tasks carried out during the working day allow ample opportunity for short breaks.

Each Employee is allowed 30 minutes lunch break per day.

If an Employee chooses to leave the building during their lunch break, then the break should be arranged with their Line Manager so that the unit / department of the Employee can still function in an orderly manner and maintain a proper service to its Clients.

#### **7.6 Flexible Working**

For a variety of reasons usually related to an Employee's work/life balance, requests may be made to change to flexible working hours. The Company recognises its responsibility as a responsible Employer to give due consideration to such requests.

The Company also recognises that a positive approach to flexible working applications can enhance Employee morale, retention rates and assist in the reduction in recruitment costs.



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The Company will look positively at such applications but Employees must understand that there will be occasions when an application has to be rejected for relevant operational reasons, in those circumstances a mutually suitable alternative will be sought although that a solution may not always be possible.

It should be noted that flexible working is not an automatic right but there is a legal entitlement for Employees to approach us through the correct procedure to request a change in their working arrangements.

Flexible working can be achieved through a variety of ways. These can include:

- A simple change in the number of days worked;
- A change in the hours worked;
- Changes in starting and finishing times;
- A combination of flexi-time and home working.

Those Employees wishing to apply should check to ensure that they are eligible.

#### **8. Holiday Pay**

Entitlement to annual holiday pay, including allowance for Bank and/or Public Holidays is as stated in the Employees Contract of Employment.

In the unlikely event of an office based member of staff having to work a statutory holiday, time-off in lieu may be arranged with your Line Manager.

The following restrictions apply to the taking of holidays:

- 5 Days of the holiday entitlement to be taken during Christmas and New Year period. Dates to be arranged by the Line Manager.
- Balance of entitlement to be taken at any time during the year to a maximum of 10 days at one time.
- Holiday leave in excess of 10 days must not be taken en bloc unless agreed with the Line Manager responsible.

All holidays must be approved and detailed by the Employee on a holiday request forms. Confirmation that the holiday request has been approved will be normally sent by email from the Employee's Line Manager.

As much notice as possible is required to enable the Line Manager to make necessary plans for cover if needed.

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Site Employees are required to consult the Holiday Sheet which shows all the current Employee holiday requests submitted and approved.

In this way Employees can take in to consideration particularly heavy booking periods where, if further holiday requests were added would leave the Company in a difficult position to function in an orderly manner and maintain a proper service to its customers.

Minimum notice periods are as follows:

<b>Leave requested</b>	<b>Minimum notice required</b>
1 day	5 working days (1 week)
2 to 5 days	10 working days (2 weeks)
5 to 10 days	20 working days (4 weeks)
Over 10 days	By arrangement with the Line Manager

#### **9. Sickness / Illness**

Immediate notification of illness should be made to the Line Manager and Office Manager at the earliest opportunity.

Following a sickness or illness absence a Sickness Self-Certification available from the Office Manager must be completed.

In addition any absence from work lasting longer than five days should be accompanied by a Doctor's note. In these circumstances the previously sick employee will complete a Return to Work Form and where appropriate engage in a return to work interview with their line manager. The intention of this arrangement is to ascertain any deeper underlying problems that may need to be accommodated if reasonable practicable by management.

After three full month's employment, Employees pay entitlements for anyone suffering prolonged periods of illness will be in accordance with their Statutory rights.

#### **10. Absence from Work**

##### **10.1 General provisions**

Employee leave of absence is normally granted on a paid or unpaid basis for specific reasons at the discretion of the line manager or a Director except where granted by statutory legislation.

##### **10.2 Maternity Leave**

All Employees are entitled to Maternity Leave regardless of service, hours of work, grade or type of contract.

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Full Maternity Leave details can be obtained from the Finance Director.

#### **10.3 Parental Leave**

Parental Leave allows mothers, fathers and adoptive parents to take time off work to look after a child. Parental leave is unpaid. Employees are entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday.

A parent must have held continuous employment with the Company for one year on the date of birth, or adoption, of a child.

The limit on how much parental leave each parent can take in a year is 4 weeks for each child. Employees must take parental leave as whole weeks rather than individual days, unless Guardian agrees otherwise or if your child is disabled. It is not a requirement to take all the leave at once.

Notice period for a Parental Leave request is 21 days before the week the baby or child is expected.

Leave entitlements apply to the child and not your job.

Full Parental Leave details can be obtained from the Finance Director.

#### **10.4 Bereavement Leave**

This would include the death of a member of family, partner or significant other and would include arranging and attending the funeral. Bereavement Leave is granted at the discretion of the Directors

#### **10.5 Special Leave of Absence**

From time to time circumstances may enforce a leave of absence due to events or activities which could not have been scheduled for a non-working day or time or within annual leave.

Leave may be granted by the line manager or a Director. An example may be where leave is required for the Employee to care for a sick child either on an emergency basis or where no alternative care arrangements can be made.

### **11. Secondment**

If, during the course of employment with the Company, an Employee is given an assignment which involves working completely to a Client's or Group members instructions, on a Client's or Group members premises, and in conformity with a Client's or Group members procedures such an assignment will be deemed as secondment.

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Whilst on secondment, an Employee will retain all the benefits arising from employment with the Company and will be expected to comply fully with these rules and any rules issued by the Client or Group member.

In case of conflict between the two sets of rules, an Employee on secondment should consult their Line Manager.

#### **12. Performance review**

From time to time the Company may carry out a performance review (appraisal) of some or all of the Employees depending on each person's role and responsibilities in the organisation.

This will normally take the form of a one to one discussion with your line manager or a Company appointed representative which may also include a Health & Safety review.

The discussion is recorded on standard Company proformas and adequate notice is given for the Employee to complete the documentation in advance.

#### **13. Salaries**

Salaries are paid monthly in arrears. Payment is effected by bank transfer direct to the Employee's bank account on the last working day of each month.

All Employees will be notified of their monthly pay via itemised pay statements.

#### **14. Pension**

In line with government legislation effective 1<sup>st</sup> August 2015 the Company operates a Workplace Auto-Enrolment Pension Scheme.

For full details on the scheme please contact the Finance Director.

#### **15. Retirement**

There is no compulsory retirement age. There are certain circumstances in which you may be compelled to retire however good reasons for this must be given.

Employees may be asked to retire early if their job requires them to have a certain level of mental or physical abilities, or has an age limit set by another law.

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#### **16. Private Health Insurance Scheme**

Following a successful three months probationary period, Guardian Employees are entitled to join the Company managed Private Health Insurance Scheme.

This entitlement normally applies to the individual Employee only.

For a list of the benefits available, contributions required and details of how to make a claim, please contact the Finance Director.

#### **17. Company Vehicles**

##### **17.1 Allocation and use**

Company vehicles are provided to support business activities and are to be used only by qualified and authorised Employees. Their provision is intended to assist Employees in the proper and economical execution of their duties.

Employees will be liable for the payment of taxation associated with the declared use.

Vehicle users must sign a declaration stating whether or not they will be using the vehicle for private purposes. The declaration may be made on a permanent basis or renewed annually as appropriate.

If a vehicle user having made a declaration that he will not be using the vehicle privately then breaches it, he may be subject to disciplinary action and in any event will bear responsibility for all taxes and penalties that may be imposed by the Inland Revenue as a result his actions.

An accurate log of Business mileage must be kept and returned to the Finance Director at the end of each month. The Finance Director will utilise these records to apportion the cost of fuel for private mileage where applicable.

Company vehicles such as vans in the custody of site Employees and other persons come under the jurisdiction of the Operations Director via Operations staff.

Cars which are predominantly in the custody of Office Employees come under the jurisdiction of the Finance Director.

##### **17.2 Care and Operation**

Use of any Company vehicle is governed by the Driving at Work Policy referred to in the Appendix. Before using any Company vehicle Employees should familiarise themselves with this Policy.

They should also complete a Pre-rental Inspection sheet and any other on-going Inspection document which would normally be provided by the vehicle supplier/hire company.

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Company vehicles must not be used until the above has been completed.

Smoking and vaping is not allowed in Company vehicles at any time.

Company vehicles may not be used for business activities of other companies.

In all cases, these vehicles are to be operated in strict compliance with legal requirements for all motorists in the UK. They are to be maintained and driven with the utmost regard for their care and cost efficient use.

Company drivers and anyone authorized to drive the Company vehicles must have a valid driver's license issued in the UK for the class of the vehicle being operated and drivers must be proficient enough to drive the vehicle in a safe and economical manner.

Drivers must be not less than 21 years of age. Obtaining a driver's license is a personal expense.

Every six months Company vehicle drivers must make a declaration to the Finance Director stating the current status of their driving licence in respect of endorsement of offences, penalty points incurred and confirming that they are currently eligible to operate a vehicle in the UK.

If at any time a driver loses his licence to drive, he must cease the operation of the Company vehicle in his care and inform the Finance Director or Operations Director of this fact.

In all cases the rules and requirements of the Company's Insurers will take precedence. We reserve the right to withdraw permission to operate a Company Vehicle should our Insurers object to the proposed vehicle user.

Only an authorised Employee, Employee spouse or significant other may operate a Company vehicle, subject to the user having the permission of the Company and the purpose being occasional use only.

All users other than Employees must meet all driver qualifications and rules in this Handbook. Personal trailers, including boats and recreational vehicles, are not to be towed.

Company vehicles are not to be driven while under the influence of alcohol or any controlled substance.

Possession, transportation or consumption of alcohol or illegal drugs by anyone in the vehicle is not allowed.

Authorised drivers are required to properly maintain their Company vehicles at all times. Vehicles should not be operated with any defect that would inhibit safe operation during current and foreseeable weather and lighting conditions.

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Preventive maintenance such as, but not limited to, regular oil checks, lubrication, tyre pressure, wear checks and fluid checks are the responsibility of the vehicle custodian, as well as the requirement to cooperate with arrangements to carry out service and maintenance of the vehicle.

#### **17.3 Traffic Violations**

Fines for parking or moving violations, towing away, storage or impoundment are the personal responsibility of the vehicle custodian.

The Company will not condone nor excuse ignorance of any motor vehicle violations that result in prosecutions or summonses being directed to itself as owner of the vehicle.

Each driver is required to report all moving violations to the Operations or Finance Director within 24 hours.

This requirement applies to violations involving the use of any vehicle (Company, personal or other) while on Company business.

Failure to report violations may result in appropriate disciplinary action, including revoking of driver privileges and possible termination of employment.

Motor vehicle violations incurred during non-business (personal use) hours may also affect the custodian's driving status as well and are subject to review.

#### **17.4 Accidents and Incidents involving Company vehicles**

In the event of an accident:

- If a driver is involved in an accident it should be reported immediately to police and the relevant line manager. If possible please obtain a copy of the police report.
- Do not admit negligence or liability.
- Do not attempt settlement, regardless of how minor.
- Obtain name, address and phone number of injured person and witnesses if possible.
- Exchange vehicle identification, insurance Company name and policy numbers with the other driver.
- Take a photograph of the scene of accident if possible.
- Report all details to the Operations or Finance Director within 24 hours.

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#### **17.5 Damage to Company Vehicles**

It is acknowledged that Company vehicles, particularly vans, may be subject to damage from day to day use which may or may not be the fault of the custodian.

It is the responsibility of all drivers to mitigate damage to company vehicles.

**All** damage howsoever caused **must** be reported to Operations Director, Operations staff, or the Finance Director.

From time to time Operations staff will carry out spot inspections of vehicles to check its current condition.

Normal wear and tear damage and accidental damage is the responsibility of the Company to make good either directly or through their Insurers.

Making good of damage which is incurred due to negligence or misuse however may be re-charged to the custodians at the discretion of the Finance Director.

Examples of re-chargeable damage:

- Smashed internal panels, such as is caused by forcing in step ladders
- Dented bodywork
- Large dents in roof panels caused by internal to external pressure, often caused by forcing steps into the vehicle.
- Smashed and severely damaged wheel trims and wheel rims
- Smashed and missing wing mirrors, which is an offence under the Road Traffic Act.
- Missing internal accessories

The purpose of the re-charge facility is to re-enforce the need to take reasonable care of Company vehicles.

Charges will not be levied in a penal manner but will reflect the actual cost of repair or the charges levied by our Hire Company.

Deductions from pay to meet the cost of any recharges will only be made by agreement with the Employee and will be reasonable with regard to the Employee's earnings.

Care will be taken not to impose hardship on the Employee and may be staggered over a period of time to ensure this is the case.



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#### **18. Use of Company equipment**

Equipment is issued to Employees to assist them to carry out their duties effectively and efficiently.

This equipment may include computers, meters, and other necessary electrical, electronic or other items.

Equipment should always be used and maintained in accordance with manufacturer's instructions and any instructions received from the Company.

As with Company vehicles, where equipment has been misused or neglected and this results in damage or loss, the Company reserves the right to re-charge a reasonable sum in keeping with the cost of repairs or replacement of the item.

Equipment must not be left in vehicles overnight but should be transferred to a secure indoor location.

#### **19. Mobile Phones**

Certain Employees will be issued with mobile phones to assist in the carrying out of their everyday duties.

Phones are specifically for work use and reasonable private purposes.

Issuing and monitoring of use of mobile phones comes under the responsibility of the Operations or Finance Director.

Loss, damage or any other matters regarding mobile phones should be reported to the relevant Director in the first instance.

Personal mobile phones which are not the property of the Company must only be used for emergency and essential purposes.

The Company has a zero-tolerance policy for texting or emailing while driving. Only hands-free talking while driving is permitted.

In all cases phones should only be used in accordance with the Client's own rules and Safe Working Procedures.

#### **20. Information Technology**

To ensure a stable and reliable IT infrastructure it is important that guidelines are followed to prevent damage and misuse of Company IT equipment.

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#### **20.1 Computer software**

The Company understands the need to use licensed software and the importance of good software management. Therefore the use of unauthorised, pirated or private software on Company machines is strictly prohibited.

If any Employee is in doubt about whether a piece of software may be used on a Company PC they should consult their immediate Supervisor.

#### **20.2 Company developed software**

Where copies of software programmes such as TraQit are uploaded to Company issued computers, laptops etc. they remain always the property of the Company.

No other copies should be made or distributed or otherwise made available to third parties other than authorised Client users.

Only the most current database should be used in data operations, inputs and amendments. All copies of previous and superseded versions should be destroyed or returned to the Operations Department.

#### **20.3 Computer hardware and software failures**

IT plays a major part in the carrying out of everyday duties within the Company. As a result it is important that any problems with the IT infrastructure are reported to the Employee's Line Manager.

Any IT problems should be immediately reported to the Employee's Line Manager.

#### **20.4 Data organisation and backup**

It is essential that a proper back up of data is carried out regularly and that data is organised on a consistent basis on each computer. This will not only make it easier to schedule back-ups, but it will also help anyone else who wishes to locate data on another person's computer.

It is appreciated that Directories are somewhat subject to personal preference, however it is requested that all Employees save their data on the server under the root Directory of 'Shared Data.'

#### **20.5 Viruses**

Machines within the Company have anti-virus software installed. It is important that Employees carry out regular anti-virus scans to prevent the spread of viruses across the network.

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To prevent the spread of viruses it is asked that Employees check all CDR's memory sticks and any other transportable data devices with anti-virus software prior to use and that care is taken when downloading software from the Internet.

The Company is available to assist any Employee who may be uncertain as to how to monitor and implement this Policy.

#### **20.6 Use of the Internet**

The Company has a permanent Internet connection and all computers have access to this.

This connection will enable Employees to access information via the web that will be helpful to them in the course of them carrying out their duties.

There is no objection to the casual use of the internet for private enquiries, provided that the enquiries only take a few odd minutes and the activity does not intrude on a members work and does not fall into the category of abuse listed below.

Use of the internet to access web sites featuring pornography, criminal or other antisocial activities is prohibited.

Any Employee found browsing or storing material of an obscene nature on Company computer equipment, or their own equipment which is connected via the Company's facilities or in working time will be subject to disciplinary action up to and including dismissal.

The Company is not seeking to be moralistic on the subject, however, we view such subjects as being contrary to the ethos of the group and in the case of more extreme types of material may make those downloading it open to prosecution under the Obscene Publications Act.

Please Note: Employees should be aware that the Internet Service Provider (ISP) holds a log of sites visited and the Finance Director has full access to all machines and can monitor each users Internet activity.

#### **20.7 Use of Your Own Devices at Work**

For the convenience of its Employees the Company grants the privilege of purchasing and using smartphones and tablets of their own choosing at work. However it reserves the right to revoke this privilege if users do not abide by the policies and procedures outlined below.

This policy is intended to protect the security and integrity of the Company's data and technology infrastructure. Limited exceptions to the policy may occur due to variations in devices and platforms.

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Employees must agree to the terms and conditions set forth in this policy in order to be able to connect their devices to the Company network.

The device must conform to the definition of acceptable business which is defined as - activities that directly or indirectly support the business of the Company.

Acceptable personal use on Company time is defined as reasonable and limited personal communication or recreation, such as reading or game playing or accessing social media sites during official break times.

Employees are blocked from accessing prohibited websites during work hours/while connected to the corporate network at the discretion of the Company.

Devices may not be used at any time to:

- Store or transmit illicit materials
- Store or transmit proprietary information belonging to another Company
- Harass others
- Engage in outside business activities
- Downloading Apps via a medium other than iTunes or Google Play.

The foregoing list of prohibited uses is not exhaustive.

Employees may use their mobile device to access email, calendars, contacts, documents, etc. owned by the Company or its resources.

#### **20.8 Permitted Devices**

Proprietary Smartphones including iPhone, Android, Blackberry and Windows phones are allowed to be connected to the Company system subject to the foregoing conditions.

Tablets including iPad and Android are similarly allowed.

In order to prevent unauthorised access, devices must be password protected using the features of the device and a strong password is required to access the Company network.

The Company's strong password policy is:

- Passwords must be at least six characters and a combination of upper and lower case letters, numbers and symbols.

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- Passwords will be rotated in accordance with built in facilities on an automatic basis.
- The device must lock itself with a password or PIN if it is idle for five minutes.

Employees are automatically prevented from downloading, installing and using any app that does not appear on the Company's list of approved apps.

Smartphones and tablets that are not on the Company's list of supported devices are not allowed to connect to the network.

#### **20.9 Use of e-mail**

Employees may be allocated their own e-mail address [e.g. rroebeck@guardianelectrical.co.uk](mailto:rroebeck@guardianelectrical.co.uk). It is up to each individual Employee to manage their e-mails.

If an Employee is going on holiday it is advisable that they inform their line manager so their e-mails can be re-routed.

Employees are requested to be cautious about giving out their e-mail address indiscriminately, as they may be subscribing to a link that will send out spurious e-mails that will only serve to endanger or choke the system.

However, in some cases it may be necessary to provide an e-mail address to access legitimate information from the web.

If this is necessary and you do not want the organisation to contact you, an unused e-mail address may be used. This can be obtained from the Finance Director.

Employees are reminded that under government legislation, companies are entitled to oversee all e-mails received and distributed via the Company e-mail system.

The Company realises that individuals may not be able to stop e-mails being received that contravene Company policy but are asked to delete any such e-mail immediately.

Should it be discovered that Employees have distributed e-mails of an obscene nature then immediate disciplinary action will result.

#### **20.10 Use of Web-enabled Mobile phones**

Certain Employees may be issued with web-enabled mobile phones such as 3G, 4G and GPRS etc. for specific use in transmitting and receiving work related data.

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In such cases the foregoing rules applicable to Internet use and emails will also apply to the use of web-enabled mobile phones.

#### **21. Compliance with Statutory Obligations**

Employees must comply with all legislation applicable to the Company.

Matters that frequently affect the Company are those relating to:

- Company Law
- Taxation
- Health & Safety
- Employment

Any breach of the foregoing could have serious and far-reaching implications for the Company and stability of employment.

Advice and guidance are available from Company Directors to assist members in complying with legislation.

The Company has no alternative other than to regard any failure to comply with legislation as serious and to invoke Company disciplinary procedures.

#### **22. Alcohol and Drugs**

Alcohol and drugs affect performance, conduct and relationships at work.

No Employee shall:

- Commence work under the influence of prohibited drugs or alcohol.
- Be in possession of prohibited drugs whilst on duty.
- Consume prohibited drugs or alcohol whilst on duty.

Any breach of the above will invoke the Company disciplinary procedure.

Please refer to the Companies Drugs and Alcohol Policy, a link to which is referred to in the Appendix.

#### **23. Smoking**

The Company operates a strict non-smoking policy on its premises. This applies to the use of tobacco products and to vaping.

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This is in accordance with the current issue of the Company's Smoke Free Premises and Vehicles Policy a copy of which is attached as an Appendix to these Rules.

Additionally, whilst working on or visiting customer's premises, Employees are required to conform to the policy and arrangements that the customer has in place.

#### **24. Confidentiality of Information**

The Company's policy is to provide Employees with the fullest information necessary to assist in the fulfilment of their duties and responsibilities.

Much of this information is confidential and if divulged could damage the Company's business, and the security of employment of Employees.

##### **24.1 Duty of confidentiality**

Employees have a responsibility to protect and maintain confidentiality of both Company and Client information.

Employees shall not during or after their employment, except as authorised or required by law or your duties, disclose information belonging to the Company.

This obligation will continue after the termination of employment unless and until any such information comes into the public domain other than through any breach of this provision by the Employee.

##### **24.2 Specific information**

Information that would come under the conditions of confidentiality would be any information that:-

- is or has been acquired by you during, or in the course of your employment, or has otherwise been acquired by you in confidence, and
- relates particularly to our business, or that of other persons or bodies with whom we have dealings of any sort, and
- has not been made public by the Company or with its authority,

shall be confidential, and (save in the course of our business or as required by law) you shall not at any time, whether before or after the termination of your employment, disclose such information to any person without prior written consent from the Company.

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#### **24.3 General Data Protection Regulations 2018 (GDPR)**

You have a legal obligation under the General Data Protection Regulations 2018 to exercise reasonable care to keep safe all documentary or other material containing confidential information, and shall at the time of termination of your employment with us, or at any other time upon demand, return to us any such material in your possession.

The General Data Protection Regulations 2018 requires the Company to have appropriate security to protect personal information against unlawful or unauthorised use or disclosure, and accidental loss, destruction or damage.

If you are provided with a laptop and hold sensitive data through other media such as a memory stick you are legally responsible under the Act for taking all reasonable steps to maintain the security of that data.

When considering data protection a lot of emphasis is put on technical security measures to protect computerised information – and rightly so. However, many security incidents relate to the theft of laptops or briefcases or abandoning paper-based material or computers.

Physical security is just as important as technical security and portable media (such as memory sticks, disks or so on) containing personal information that is be taken out of the office must always be transported securely and kept secure at night (i.e. not left in a vehicle).

#### **24.4 GDPR – Employee information**

Following the introduction of the GDPR legislation in 2018 all new employees will at induction or on an ongoing basis be required to provide written consent to the Company retaining and maintaining such personal data as is required to maintain your employment with the company.

Such information will include date of birth, NI number, address, date of birth, bank details, criminal convictions, motoring offences, etc. and any other information we are legally required to retain.

Data that we hold will be retained in our confidential files. This data comprises statutory and essential information relating to your employment and it will only every be used for this purpose, will be maintained at the minimum level necessary and will never be made available to a third party unless it is our statutory duty to do so or we have your express permission to pass it on.

See also clause 28 - Employee Administration.

#### **24.5 Copyright**

All written material, whether held on paper, electronically or magnetically which was made or acquired by you during the course of your employment with us, is the property of the Company and the Company owns the copyright.



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At the time of termination of your employment with us, or at any other time upon demand, you shall return to us any such material in your possession

#### **24.6 Ownership of intellectual property rights**

Employees will promptly disclose to the Company and keep confidential all inventions, copyright works, designs or technical know-how conceived or made by them alone or with others in the course of their employment.

Employees will hold all such intellectual property in trust for the Company and will do everything necessary or desirable at our expense to vest the intellectual property fully in the Company and/or secure patent or other appropriate forms of protection for the intellectual property.

Decisions as to the protection or exploitation of intellectual property shall be in the absolute discretion of the Company.

The obligations above will not apply to:

- Any information or knowledge which may subsequently come into the public domain other than by way of unauthorised disclosure (whether by the Employee or a third party).
- Any of the Employee's acts in the proper performance of the duties of their employment.
- Information or knowledge the use or disclosure of which has been properly authorised by the Company.
- Any information which the Employee is required to disclose in accordance with a Court order of competent jurisdiction.

#### **24.7 Statements to the Media**

Any statements to reporters from newspapers, radio, television, etc. in relation to our business will be given only by an appointed member of the management.

### **25. Termination of Employment**

Employment with the Company may be terminated by either side giving notice in writing.

#### **25.1 Employee's notice of termination**

Where the Employee gives notice of resignation, the Company expects to be given the following minimum periods of notice:

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|--|--------------|
| • By those with less than six months service                           | • - 1 Week   |
| • By those with more than 6 months service (except those listed below) | • - 1 Month  |
| • Managers and Directors of Subsidiary Companies                       | • - 2 months |
| • Directors of Guardian Electrical Compliance Ltd                      | • - 3 Months |

By mutual consent between the Company and the Employee, the periods above maybe adjusted.

In the event that holiday leave over and above that already accrued has been taken, the Company retains the right to make a deduction from the Employee's final salary.

#### **25.2 Employer's notice of termination**

Where the Company gives written notice of termination of employment to the Employee the period of notice given will be in accordance with your Statutory rights.

#### **25.3 Dismissal on the grounds of Incapacity**

Where an Employee becomes incapable of carrying out his duties in the normal way due to incapacity arising out of illness, disability or injury the Company may select one or more of the following options:

- Obtaining a medical report from the Employees GP provided the Employee grants permission
- Arranging an occupational health assessment
- Determine whether or not the Employee is disabled or incapacitated

Where it has been established that the Employee is disabled or incapable, the Company will make reasonable adjustments to help the Employee to undertake their normal duties.

If despite the implementation of reasonable adjustment measures, or where reasonable adjustments cannot be made, the Company reserves the right to dismiss the Employee where it is no longer possible for the Employee to continue in employment.

## **26. Disciplinary Procedures**

### **26.1 Purpose**

The Company's aim is to encourage high standards in individual conduct and performance.

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This procedure sets out the action which will be taken when Company rules are breached or disciplinary action is deemed necessary by the management of the Company.

#### **26.2 Principles**

If you are subject to disciplinary action:

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- At every stage you will be advised of the nature of the complaint, be given the opportunity to state your case, and be represented or accompanied by a fellow Employee of your choice, or a Trades Union official.
- You will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- You have the right to appeal against any disciplinary action taken against you.
- The procedure may be implemented at any stage if your misconduct warrants such action.
- If you request, you have the right to be accompanied at a disciplinary hearing by a fellow worker, or a Trade Union Official.

#### **26.3 Informal Discussions**

Before taking formal disciplinary action, your Line Manager will make every effort to resolve the matter by informal discussions with you.

Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

#### **26.4 First Warning**

If conduct or performance is unsatisfactory, the Employee will be given either verbal or a written warning.

Such warnings will be recorded but disregarded after 6 months of satisfactory employment.

The Employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change.

#### **26.5 Final Written Warning**

If the offence is serious, or if there is no improvement in standards, or if a further offence occurs, a final written warning will be given which will include the reason for the warning and a note that if there is no sustained improvement within 6 months further action will be taken.

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Further action may include dismissal, demotion, disciplinary action, or loss of seniority.

#### **26.6 Statutory Discipline and Dismissal Procedure**

If an Employee faces Disciplinary action the minimum statutory procedure will be followed. This involves:

- Step One: Written letter to the Employee setting out the allegation and the basis for it
- Step Two: Meeting to consider and discuss the allegation.
- Step Three: Right of appeal including an appeal meeting.

The Employee will be reminded of their right to be accompanied.

#### **26.7 Gross Misconduct**

If after investigation it is confirmed that an Employee has committed an offence amounting to Gross Misconduct, the normal consequence will be dismissal without notice or payment in lieu of notice:

Gross Misconduct will result in disciplinary action up to and including dismissal and includes and is not limited to the following:

- bullying
- drunkenness/drug abuse
- fighting at work
- fraud
- gross negligence/ insubordination
- serious breaches of health and safety
- theft
- wilful damage to property
- bringing the Company, its name or its Clients into disrepute by word or deed
- incapacity for work due to being under the influence of alcohol or illegal drugs
- physical violence

While the alleged gross misconduct is being investigated, the Employee may be suspended, during which time he or she will be paid their normal pay rate.

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Any decision to dismiss an Employee will be taken by the Employer only after a full investigation has been carried out.

#### **26.8 Appeals**

If you wish to appeal against any disciplinary decision, you must appeal in writing within seven working days of the decision being communicated to you.

Any written communication should be directed to the Operations or Finance Director.

Any appeal will be heard by a Senior Manager (usually a Director) who was not involved in the original disciplinary action.

#### **27. Grievance Procedure Introduction**

It is the Company's policy to ensure that Employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and fairly as possible.

##### **27.1 Informal Discussions**

If you have a grievance about your employment you should discuss it informally with your Line Manager.

It is hoped the majority of concerns will be resolved at this stage.

##### **27.2 Stage 1**

If you feel that the matter has not been resolved through informal discussion, you should put your grievance in writing to the Line Manager who will endeavour to resolve the matter and will provide a response within five working days.

##### **27.3 Stage 2**

If the matter is not resolved, you may raise the matter, in writing with your Line Manager, who will give a response within five working days.

You may be represented or accompanied at this meeting by a fellow worker of your choice, or a Trade Union Official.

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#### **27.4 Stage 3**

If the matter is not resolved to your satisfaction, you should put your grievance in writing to the Managing Director or an authorised deputy.

You will be entitled to a meeting with the Managing Director or authorised deputy to discuss the matter.

The Managing Director or authorised deputy will give their response within seven working days of the grievance being received. The Managing Director's decision is final.

#### **28. Employee Administration**

For a variety of reasons and for administrative efficiency, it is most desirable that Employee details are kept up to date.

Employees are assured that this information is kept confidential and it is not released to other parties without good reason (e.g. if required by the police in the event of serious injury or death in a road accident).

Any changes in information should be passed to the Line Manager which will include:

- Change in marital status (e.g. Marriage, Widowing etc.).
- Change of name by marriage or in other circumstances.
- Change of home address and / or home telephone number.
- Change of next of kin.
- Change in person/s additional to next of kin to be notified in case of emergency.
- Changes of address or telephone number of next of kin or person to be notified in case of emergency.
- Registration of disablement.
- Gaining of academic success and / or a professional qualification.

The General Data Protection Regulations 2018 will apply to all additional personal information provided – see Clause 24.3.

In accordance with the Company's Prevention of Illegal Working Policy referred to in the Appendix, Employees will have their passports checked at Induction to ensure that the Company is complying with current Employment legislation.

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#### **29. Environmental and Sustainability Policy**

In accordance with the Company's Environmental and Sustainability Policy referred to in the Appendix all Employees are required to make every endeavour to conserve energy, eliminate waste and contribute to the Company's endeavours to comply with current legislation.

Areas in which Employees can be particularly effective include:

- Avoid unnecessary car journeys
- Defensive driving which includes driving in an economical manner
- Electronic communication rather than use of paper
- Recycle where possible all materials in accordance with provisions in Head Office and on Client's sites.

#### **30 Health Surveillance**

As responsible Employers we have an obligation to take note of and monitor the present and future health condition of our employees even. This surveillance may include employees undergoing medical checks.

Health information is collated by means of a standard proforma self-assessment check completed by the Employee.

The purpose of the document is to ascertain the current health status of individuals. This will inform our decisions as to what we ask individuals to do and where etc. It will enable us to best assist persons in the future if they require it.

In accordance with GDPR requirements the information will not be misused in any way. It will be retained in a private, secure and confidential file which will only be accessed by authorised persons for the purposes of medical assessment only.

Although from time to time clients require us to give evidence of our employees' fitness for work, your data will not be passed on to them or any other third party without your express permission

#### **31 Amendments to Staff Rules**

These Staff Rules will be reviewed annually or when circumstances dictate, should any changes be made to the guidance notes then Employees will be notified of the changes within 1 month and issued with amended guidance notes.

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#### **Appendix**

The below listed documents are available on our website - [www.guardianelectrical.co.uk/policies](http://www.guardianelectrical.co.uk/policies) Schedule of Collateral Policy Documents (as at time of current issue of Staff Rules):

- Asbestos Health and Safety Policy**
- Corporate Responsibility**
- General Data Protection Policy**
- Data Security Policy**
- Disclosure Barring Service Policy**
- Disabled Persons Policy**
- Driving at Work Policy**
- Driving at Work Risk Assessment**
- Drugs and Alcohol Policy**
- Environmental and Sustainability Policy**
- Equality and Diversity Policy**
- Health and Safety Policy**
- Prevention of Illegal Working Policy**
- Quality Policy**
- Training and Development Policy**