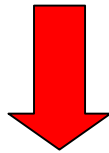


1. Informal disciplinary action

See 'informal action'

(Paragraphs 12&13of Code of Practice)

Gather the facts now -
before memories fade



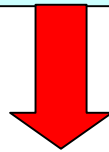
Have a quiet word in private - is there a case
to be answered?
**(This is not a Disciplinary Hearing. The aim
is to Encourage and Improve)**



No



The matter is
over - don't
leave any
bad feeling



Yes



Be clear about:

- what needs to be done to improve
- when you might speak again
- what could happen next (i.e. formal action)

**(- Offer help e.g. training or counselling if
needed)**

(- Keep written notes)

2. The disciplinary meeting

Carry out a thorough investigation before any meeting

Tell the employee *in writing*

- what they are alleged to have done wrong
- the time and place for a meeting (making sure that the employee has had a reasonable opportunity to consider their response)
- they have the right to be accompanied

At the meeting:

- state the evidence
- let the employee put their case
- let the accompanying person (if any) ask questions

Adjourn to consider any action and think about:

- previous sanctions
- employee's record
- any special circumstances

Make your decision:

- inform the employee of the decision and the right to appeal
- monitor the situation

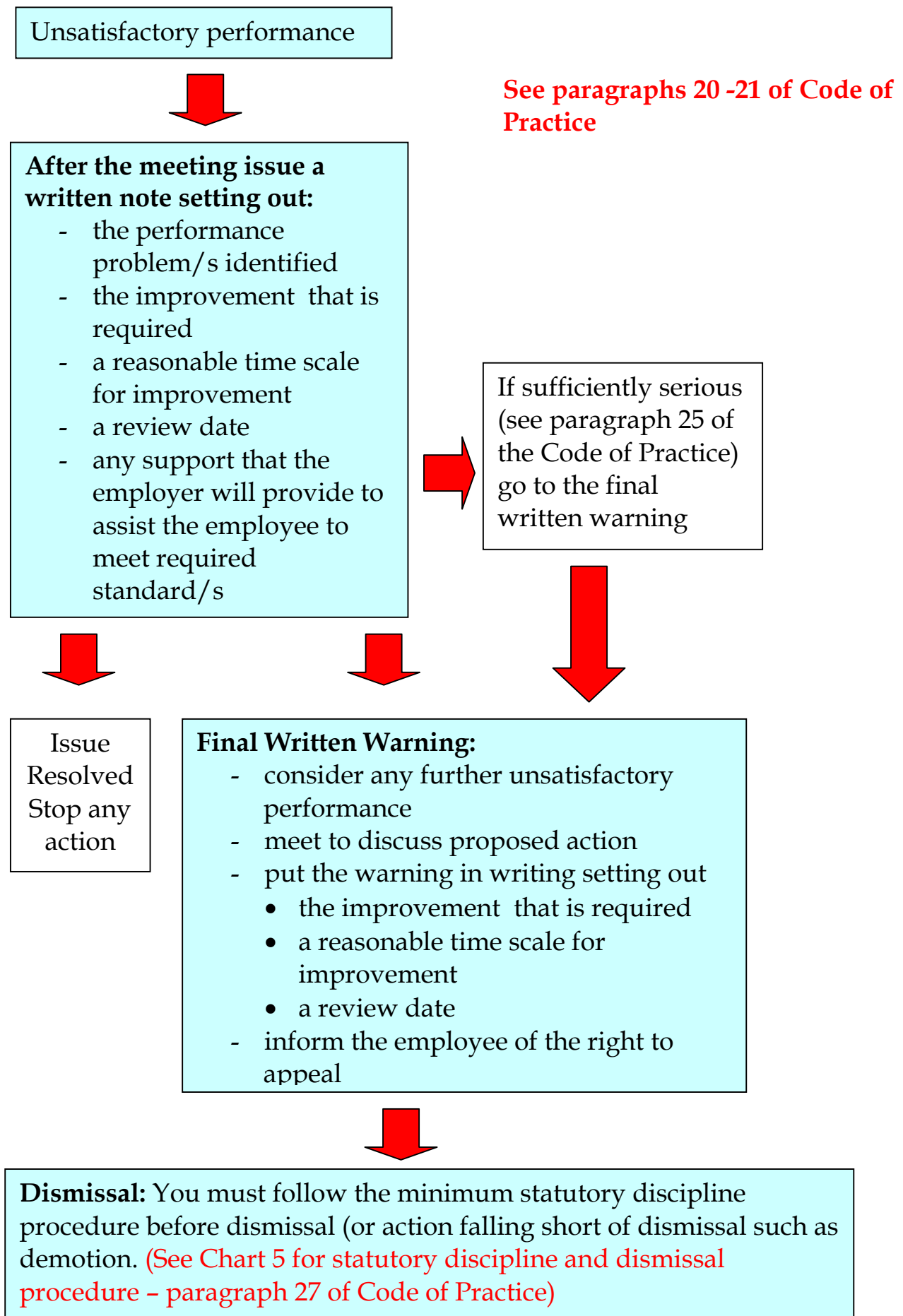
See 'Formal action' (paragraphs 14-19 of Code of Practice)

- Give the employee copies of any information to be used
- Rearrange another meeting within 5 days if the employee or accompanying person cannot attend
- Consider fresh evidence if necessary

See Chart 3 'Taking disciplinary action and Chart 4 'Disciplinary appeals.

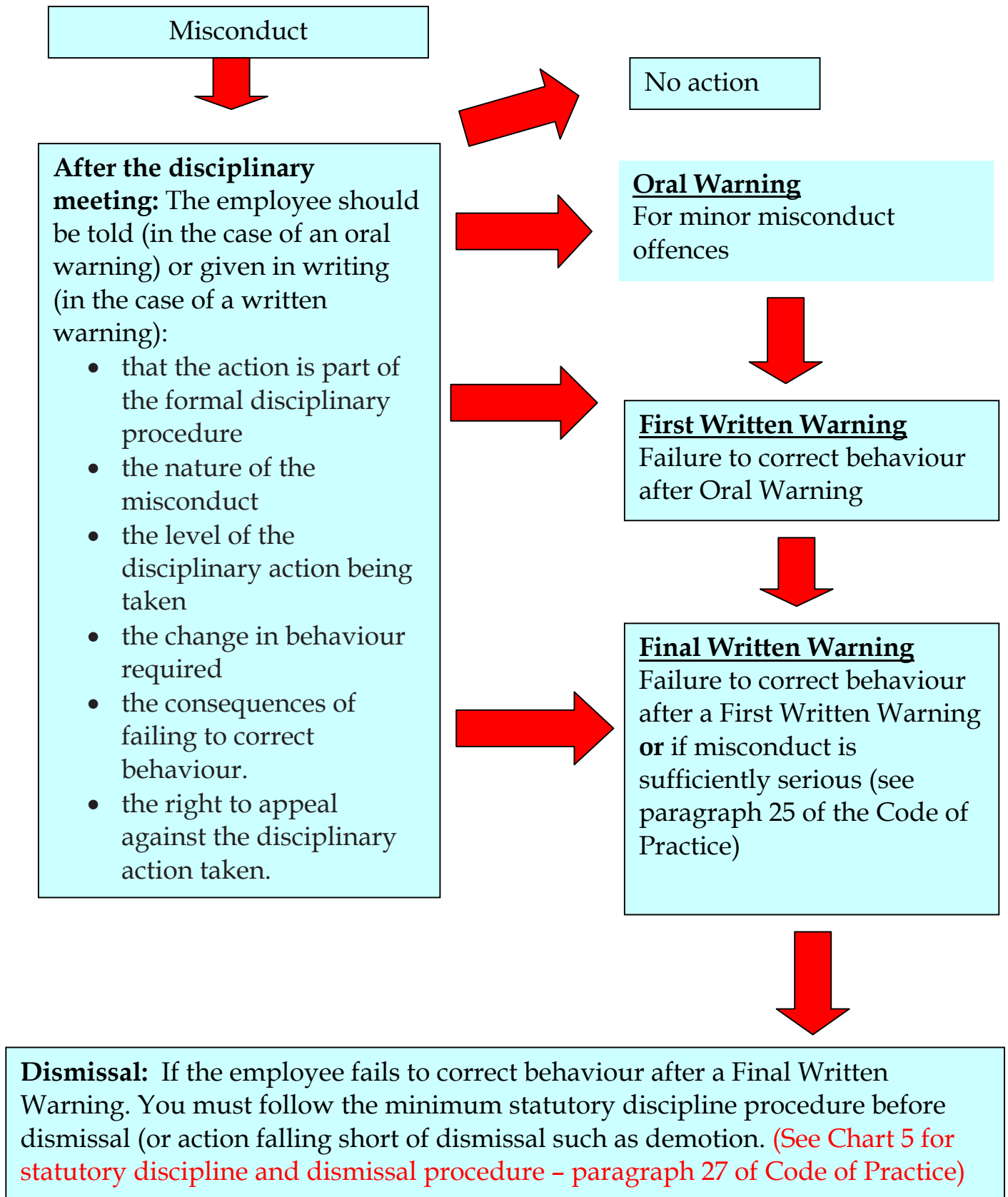
3. Taking disciplinary action

- Unsatisfactory performance



3 Taking disciplinary action - Misconduct

[For cases of alleged 'Gross Misconduct' different rules apply. (See paragraphs 37-38 of the Code of Practice)]



4. Disciplinary Appeals

(See paragraphs 46-50 of the Code of Practice)

An appeal should:

- Usually be lodged within five working days of the disciplinary decision
- Be heard by someone senior to the manager who took the original disciplinary decision (wherever possible)



Remind the employee of their right to be accompanied

At the appeal meeting:

- Consider any new evidence
- Allow the employee to comment on any new evidence
- Do not be afraid to overturn a previous decision



Appeal finding:

- Tell the employee the result of the appeal and the reason for the decision
- Confirm the decision in writing

5. The statutory discipline and dismissal procedure (See Annex A of the Code of Practice for details in full)

Step 1:

- You must set out in writing the employee's alleged conduct or characteristics, or other circumstances, which lead you to contemplate dismissing or taking disciplinary action against the employee.
- You must send the statement or a copy of it to the employee and invite the employee to attend a meeting to discuss the matter.

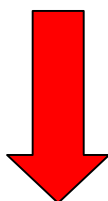
Employers and employees are exempt from the three-step procedure in certain limited cases (See Annex E of the Code of Practice)



Step 2:

- Hold a meeting with the employee and their colleague (if they wish to be accompanied)
- Notify the employee of your decision

The meeting must not take place unless you have informed the employee what the basis was for including in the statement under Step 1 the ground or grounds given in it; and the employee has had a reasonable opportunity to consider their response to that information.



Issue resolved



Step 3:

- If the employee wishes to appeal hold an appeal meeting
- Inform the employee of your final decision

6. The Grievance Procedure

An informal approach between the employee and the line manager is often the best way to proceed



Employees should inform the employer of their grievance.

If the employee wishes to use the grievance as a basis for an application to an industrial tribunal the grievance must be set out in writing (See paragraph 76 and Annex C of the Code of Practice) for the statutory grievance procedure.



Hold a meeting in private and remind the employee of their right to be accompanied.



Consider a response:

- Inform the employee in writing of your decision
- Arrange an appeal if necessary



A more senior manager should hold the appeal (where possible)