

HOW TO

Ensure compliance and reduce risk when conducting a Disciplinary Meeting

Tips and Guides for Managers

There will be times where behaviours or performance do not meet expectations and if they cannot be avoided, they should at least be handled well and in accordance with your company's own policy and statutory legislation, by doing so you can ensure you are treating your employees **fairly and consistently**.

If, following a thorough investigation, you believe a disciplinary meeting is necessary it's important to follow the steps of the disciplinary process to ensure you conduct the meeting properly. This may help you to avoid a time consuming and costly employment tribunal claim.

The Disciplinary Process - Preparation

- Following a thorough investigation, decide who will chair the disciplinary meeting. Ideally this will be somebody different to the person who conducted the investigation.

Give Written Notice

- Inform the employee in writing of the meeting, giving reasonable time to prepare. Check your policy to see if you have timeframes specified. Detail the allegation and include copies of evidence, also state the possible outcomes.

The Right to be Accompanied

- Employees have the right to be accompanied at a disciplinary meeting by a work colleague or Trade Union Representative. This should be included in their letter.

Hold the Meeting

- Chair should outline the case and the employee has the opportunity to respond. Following questions and discussion, the Chair should sum up and Adjourn.
- Remain specific and factual and always adjourn to reflect and ensure you give proper consideration to the outcome.

Confirm Outcome

- Unlike a court of law, you don't have to prove the allegations beyond all reasonable doubt, but you do have to make your decision on the balance of probabilities.
- Confirm the outcome in writing.

Right to Appeal

- Employees have the right to appeal the outcome of a disciplinary, in writing within a specified timeframe. The appeal should be heard by somebody not previously involved in the disciplinary process.

How can we help? ...

We provide advice and support and can write letters or scripts for your meetings, taking you through every step

- We can conduct investigations, sit in on your meetings or handle appeals
- We can develop your Disciplinary Policy and Procedure
- We provide training on Conducting Disciplinary Proceedings and Investigations