

Tips on conducting disciplinary procedures

1

REFER to disciplinary policy

- Your written policy should reflect minimum statutory requirements, which, coupled with your business protocols must provide key information about the process to be followed.
- Disciplinary policies should be kept under regular review.

2

INVESTIGATE allegations

- Consider the wording of the allegations under investigation which will be presented to the employee.
- Your investigation should be an evidence gathering exercise – relevant evidence might include witness statements, CCTV footage, phone records or other documents related to the disciplinary allegations.

4

CONDUCT disciplinary meeting

- An independent disciplinary officer should conduct the disciplinary meeting.
- Impartiality is key – the disciplinary officer should not have been involved with the allegations in question or earlier investigations into the allegations in question.

3

INVITE employee to disciplinary meeting

- Your invitation letter must include the necessary information required under statute - failure to comply with the statutory guidance will result in an 'automatically' unfair dismissal.
- Ensure that the invitation letter provides the employee with sufficient notice of the meeting, together with any relevant information or documentation that will be discussed at the disciplinary meeting.

5

ISSUE disciplinary outcome

- Upon conclusion of the disciplinary meeting, the disciplinary officer should carefully consider all relevant evidence, and the employee's response to the allegations, before reaching an outcome.
- The outcome letter should address culpability, sanction (where relevant) and should also inform the employee of their right to appeal the outcome.

6

AFFORD employee the right of appeal

- If the employee exercises their right of appeal, an independent appeal officer should be appointed. Ideally, the appeal officer should be of equal or greater seniority to the disciplinary officer.
- An appeal meeting should be held and on conclusion of that meeting, the appeal outcome should be communicated to the employee in writing.