

DISCIPLINARY



When dealing with disciplinary matters, the importance of following a clear and proper process is essential in order to ensure that objectivity, consistency and fairness are maintained. Depending on the issue and circumstances the process may be implemented at either an informal or formal stage. For full details please refer to the full Disciplinary Procedures.

What you need to know...

- Not following a fair process could lead to claims of unfair dismissal or discrimination, with serious financial and reputational consequences
- Less serious issues can build up if not dealt with, resulting in more serious misconduct, which can negatively affect the culture in your organisation



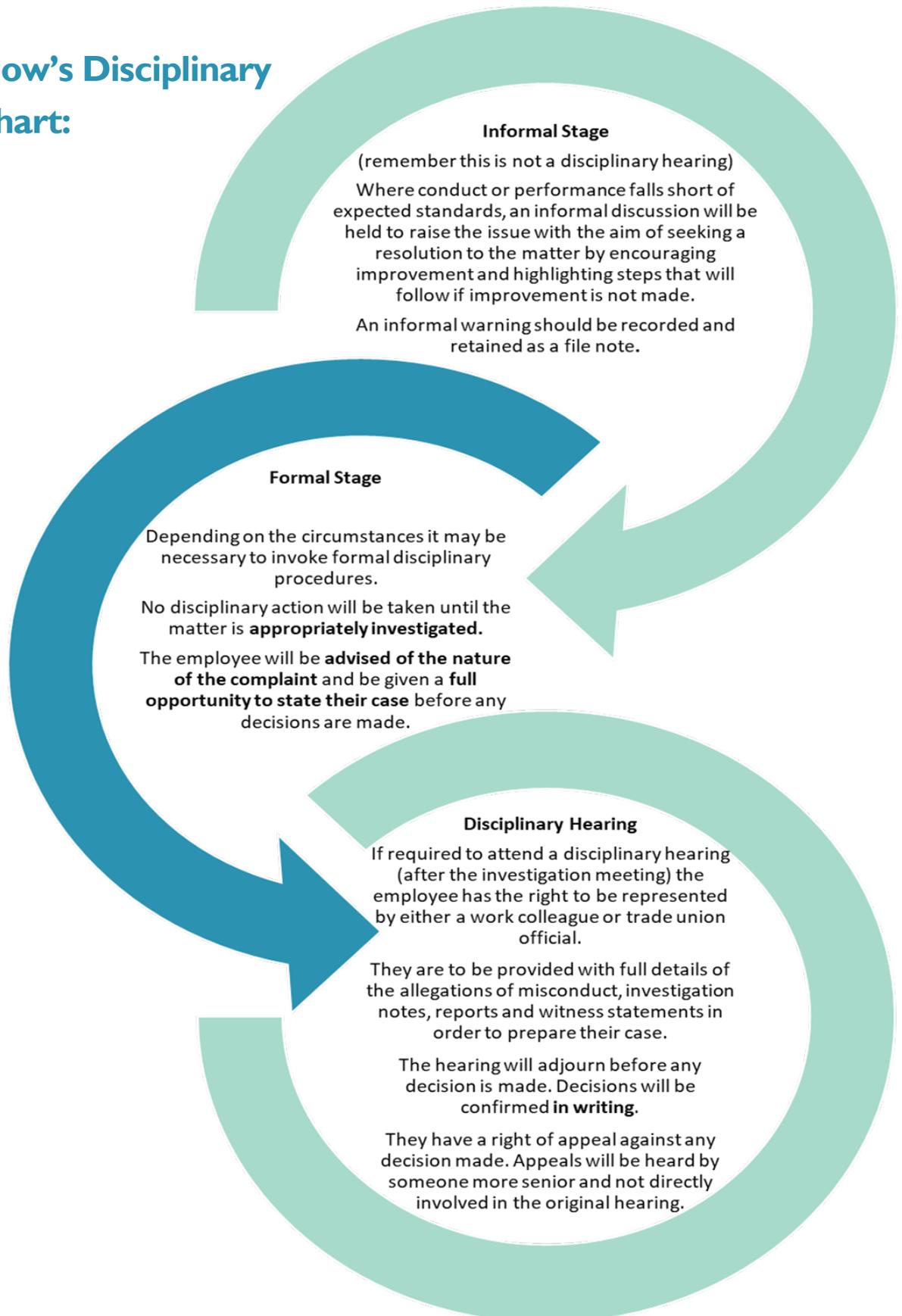
Key considerations

- A minimum of 72 working hours' notice should be given of a formal disciplinary meeting
- The employee has the right to be represented at the formal stages of the process
- The employee must be notified in writing of any decisions made
- They will have a right of appeal against any decision made
- Appeals must be made in writing to a named person within five working days of receipt by the employee of the original disciplinary letter
- To minimise risk of unfair dismissal / constructive unfair dismissal claims, make sure you document every step of the process (see our advice guide on Unfair Dismissal for more detail)

Advised Disciplinary Sanctions

- Verbal warnings will normally be held on file for **six months**
- Written warnings will normally be held on file for **12 months**, but in exceptional circumstances for longer, including in perpetuity
- Dismissal may occur if there is a failure to improve or in the event of serious misconduct or repeated warnings
- In cases of Gross Misconduct, the disciplinary stages may not apply and, if after full investigation and a disciplinary hearing the case is proven summary dismissal may result
- Other possible disciplinary sanctions include demotion, disciplinary transfer, loss of seniority and temporary suspension with or without pay

HR Now's Disciplinary flowchart:



if you'd like to know more call 747559 and let's chat!