

A guide to...

Disciplinary Procedures

Part 1: Setting up a disciplinary meeting

If you're having a problem with one of your team, sometimes you might need to take more formal action and follow a disciplinary procedure to address unacceptable behaviour at work.

Unacceptable behaviour can mean a few different things, it might be to do with your employee's conduct at work or their capability within their job role.

The aim of taking disciplinary action is to bring about an improvement in an employee's conduct (where applicable), to ensure there is no re-occurrence. However, sometimes an employee's conduct is substantially serious that it may warrant dismissal.

In this case, the first decision is who is most appropriate to conduct the disciplinary hearing.

Ideally (although it's not always possible depending on the size of the employer), the disciplining manager will not be the same manager that conducted the investigation.

The disciplining manager needs to be available immediately and aim to conduct the disciplinary hearing as quickly as possible and ideally within a 2 week time period.

It wouldn't be a good idea therefore to identify someone who is about to go on holiday for example. A note taker/Company witness should also be available to attend the disciplinary hearing. This should ideally be someone unrelated to the matter, but could be the same person that attended the investigation meetings as note taker/Company witness.

Setting up a disciplinary hearing

The disciplining manager should:

- ✓ Write to the employee, giving the employee reasonable notice of the date and time of the disciplinary hearing in accordance with the employer's Disciplinary Policy
- ✓ State that the hearing will be held under the Disciplinary Policy and Procedure
- ✓ Provide written details of the allegations against the employee and whether the allegation(s) could constitute misconduct or gross misconduct
- ✓ Provide details of any evidence supplied by other employees, for example by enclosing copies of any witness statements
- ✓ Inform the employee of the right to be accompanied at the hearing by a colleague or trade union official of their choice
- ✓ State that the outcome could be disciplinary action or dismissal, as appropriate

There are two types of template invite letters available amongst the documentation suite: one for **misconduct** and one for **gross misconduct**.





Want to find out more about best practices conducting disciplinary procedures?

Over the next week we'll be sending you additional information about how to conduct the rest of the disciplinary procedure, but if you want to get help sooner then our team is on hand to offer instant advice.

Click the link to activate your free trial and get instant help from one of our expert HR experts"

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