

Top ten tips about avoiding the need for a disciplinary hearing

1. If you've recruited the right people and made clear to them from the start what you expect of them and how to get support, you shouldn't have too many disciplinary problems. However things aren't always that straightforward.....
2. When an allegation first comes to your attention you may be able to prevent it from turning into a disciplinary case when you find out the facts. Misunderstandings can sometimes mean that a case is not as serious as it first appears.
3. An immediate conversation with the individual(s) concerned may give you sufficient information to treat the case in a different way.
4. If the allegation is minor and is about an inexperienced employee, it may be that the employee genuinely does not realise that the offending behaviour is unacceptable.
5. The best way to deal with this might be for you to have a confidential session with the employee to go through the issues with them and to decide what support will be provided. This can be informal or formal. This is outside the formal disciplinary procedure and is simply a normal part of management duties.
6. In an informal improvement session you would make clear to the employee what the correct procedures are and the reasons for them, and explain why their standard of conduct was not acceptable. You would put a short written note of the session on the individual's file.
7. In a formal improvement session you would invite the individual to attend by letter and say that a union representative could attend as well. Following the meeting you would write another letter explaining what improvements you expect to see and set a further date after a period of time, when you will meet again to review the situation.
8. If an employee's behaviour doesn't improve or if, part way through, you realise the situation is more serious than you thought, you will need to implement the disciplinary procedure.
9. Make sure that you make staff aware of how to comply with the key policies and procedures relevant to them e.g. the e-mail and internet use policy, the code of conduct on accepting gifts, etc. Circulate copies of the policy to everyone in the team at regular intervals and go through them in detail with new staff.
10. If someone resigns part way through an investigatory process, this is NOT usually a reason to suspend the proceedings. It is normal practice to continue with the disciplinary process right to its natural conclusion, even if the employee is no longer employed by the Council and is not taking part in the proceedings. This is so that the matter is concluded and the conclusion can be referred to in reference requests.