

Disciplinary – Manager/HR Responsibilities

June 2020

| Stage of Disciplinary Procedure | What do we expect from managers? | What can you expect from HR? |
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| Disciplinary general guidance | <ul style="list-style-type: none"> • Read and follow procedures and guidelines • Attend briefings / management development courses on disciplinary procedure where necessary. • Ensure documentation is placed on the personal file appropriately. | <ul style="list-style-type: none"> • Briefing / training on disciplinary procedures. • Guidance throughout the process if required. • Support with wording of documents/letters where necessary. • Presence at hearings and appeals. |
| Allegations of misconduct / gross misconduct | <ul style="list-style-type: none"> • Consider if warrants investigation and if unsure seek HR advice from the Advice & Support Team • Consider if less serious deal with through informal improvement / day to day management | <ul style="list-style-type: none"> • Advice if allegations need investigation / formal procedure or management / no action. • Advice if allegations may require an Audit investigation. |
| Suspensions | <ul style="list-style-type: none"> • Consider if suspension necessary – if unsure seek HR advice from the Advice & Support Team • Suspension to be approved by Executive Director / Assistant Director | <ul style="list-style-type: none"> • Advice on suspensions, (and presence where necessary at complex suspensions). |
| Investigation | <ul style="list-style-type: none"> • If investigation required, decide who will be investigating officer. • The Investigating Officer interviews employee and any witnesses, taking statements (<i>can take another manager/clerical staff to take notes</i>) • Prepare a statement of case, containing statements and known facts. | <ul style="list-style-type: none"> • Advice on investigation process where necessary. • Presence at complex employee interview / investigation meetings where necessary. • Support on statement of case preparation - where necessary. |
| Disciplinary Hearing | <ul style="list-style-type: none"> • The Investigating Officer will make arrangements for disciplinary hearing (invite letters, room bookings etc.). • The Investigating Officer will arrange for witnesses to attend, present the management statement of case, including questioning witnesses. • The Hearing Officer will chair the meeting, arrange a note taker, decide the outcome, and send letter confirming outcome. | <ul style="list-style-type: none"> • Support to arrange hearings – where necessary. HR presence at all disciplinary hearings to advise Hearing Officer. • HR to assist in preparation of outcome letter / any actions where necessary. • Additional HR presence at disciplinary hearing to support investigating manager – where necessary. |
| Appeal Hearing | <ul style="list-style-type: none"> • The Appeals Officer arranges appeal (HR Division in cases of dismissal). • The Hearing Officer to present the management case/decision made. | <ul style="list-style-type: none"> • HR Advisors are always present at appeal hearings (and Legal Advisors at appeals against dismissal) to advise and can assist on outcomes letter, where necessary. |

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| | <ul style="list-style-type: none">• The Appeals Officer (Director of Organisational Development & Policy in dismissal cases) sends letter confirming outcome of appeal. | <ul style="list-style-type: none">• Additional HR presence to support Hearing Officer, where necessary. |
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