

Top tips on conducting a disciplinary

Investigate

Make sure you discover the facts and interview any witnesses before considering whether any action needs to be taken.

Contact procedure

Write to those concerned and invite them to an interview stating the allegations against them.

Representation

Advise the employee that they have a statutory right to be accompanied at the interview by a fellow worker or a trade union representative.

Evidence

During any meeting or discussion, make sure that comprehensive notes are taken as they will be required if you need to attend and employment tribunal.

Circumstances

Allow the employee to have their say and ask them if there are any mitigating circumstances to be taken in account

Consider options

After hearing all the evidence, adjourn the meeting to consider the case evidence and what actions are necessary.

Outcome

Reconvene the meeting to give your decision and explain the outcome to the employee.

Confirm decision in writing

After the meeting make sure that you confirm in writing the decision, including any timescale and penalties, what is expected in the future, the employee statutory right to appeal, the timescale and who to appeal to.

Appeal response

If the employee chooses to appeal, the hearing must be heard within 7 days.

Follow regulations

It is crucial to follow the correct procedures when considering to carry out employee dismissals and disciplinaries. Don't leave yourself open to unfair dismissal allegations.