



How To Conduct A Fair Disciplinary Hearing

By The HR Booth

How to...

Conduct a fair disciplinary hearing

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Publisher:

The HR Booth Ltd
Rosyth Business Centre,
16 Cromarty Campus,
Rosyth, Dunfermline,
Fife, KY11 2WX

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Contents:

Page 5About The Author

Page 8 Investigate

Page 10..... Set Expectations

Page 11..... Invite Letter

Page 13..... Prepare

Page 14..... Convening The Meeting

Page 15..... Adjourning The Meeting

About the author



I am the Managing Director of The HR Booth, a Human Resources Consultancy. I work hard to help business owners and managers throughout Scotland to manage their people more effectively. I have over 20 years HR experience, having worked for several companies as an HR Manager, and I have significant experience in helping businesses tackle a disciplinary hearing.

A disciplinary hearing can be a complex and challenging experience, and if you follow the suggested steps provided in this e-book, it will make the process less daunting. I appreciate there's a lot more to a disciplinary hearing than I've provided in this E-Book, and if you would like to discuss any particular challenge further, please get in touch. You can email me at alistair.booth@thehrbooth.co.uk or call me on 01383 427325. I hope you enjoy the E-book and I'd welcome your feedback.

As the managing director of your company, you have a responsibility to conduct a fair and balanced disciplinary hearing.

Approaching this right away can minimise the possibility of the problem escalating.

This is why it is essential to have good HR processes in place.

It is important to follow essential steps when faced with managing a possible disciplinary.

From the investigation period, to the conclusion, it is important to consider all evidence and hard facts before making a decision.

It can be difficult to ignore your personal opinion, but it is important that you do.

Investigate!



It is fundamental that you investigate the situation before you consider disciplining your employee.

Ask yourself the following questions when establishing the facts:

1. What is the bad thing that has happened?
2. When did it happen?
3. Why did it happen?
4. Who did the bad/wrong thing?
5. Were there any witnesses?

Anything verbalised at investigation meetings, and any investigation findings must be documented. These will become important reference documents if a formal disciplinary meeting becomes necessary.

Investigation meetings are informal, and you should not need to provide notice or allow the rights of representation to conduct an investigation meeting.

Set Expectations:

Any employees that are involved in the possible disciplinary, should be made aware that following your meeting, a formal disciplinary meeting may take place.

A disciplinary meeting should never come as a shock to your employee.

Invite Letter:



Once you have completed your investigation, you need to invite your employee in to a formal disciplinary meeting. This must be done in writing.

This includes:

1. Date, time and location of the disciplinary meeting
2. Who will be present at the meeting
3. Your employee's right to be accompanied at the meeting
4. Details of what they are alleged to have done – this should be clearly set out.
5. The potential consequences or potential outcome of the meeting
6. Reference to any other documents you may wish to refer to

To ensure that your employee is not surprised about a disciplinary meeting, you should inform them beforehand so they are expecting the formal disciplinary invite letter.

We suggest a minimum of two clear days' notice between the day they have received the letter, to the day of the disciplinary meeting.

This notice is to allow your employee reasonable time to prepare for the meeting, and arrange to be accompanied if they wish.

Prepare:



Preparing for the meeting is crucial, make sure you book time out of your diary for this.

It can be effective to write out the questions you would like to ask your employee. This can make the meeting run smoother. It can be effective to ask open questions to guarantee more than a yes or no response.

It can be effective to plan cover during the meeting to reduce the possibility of being short staffed.

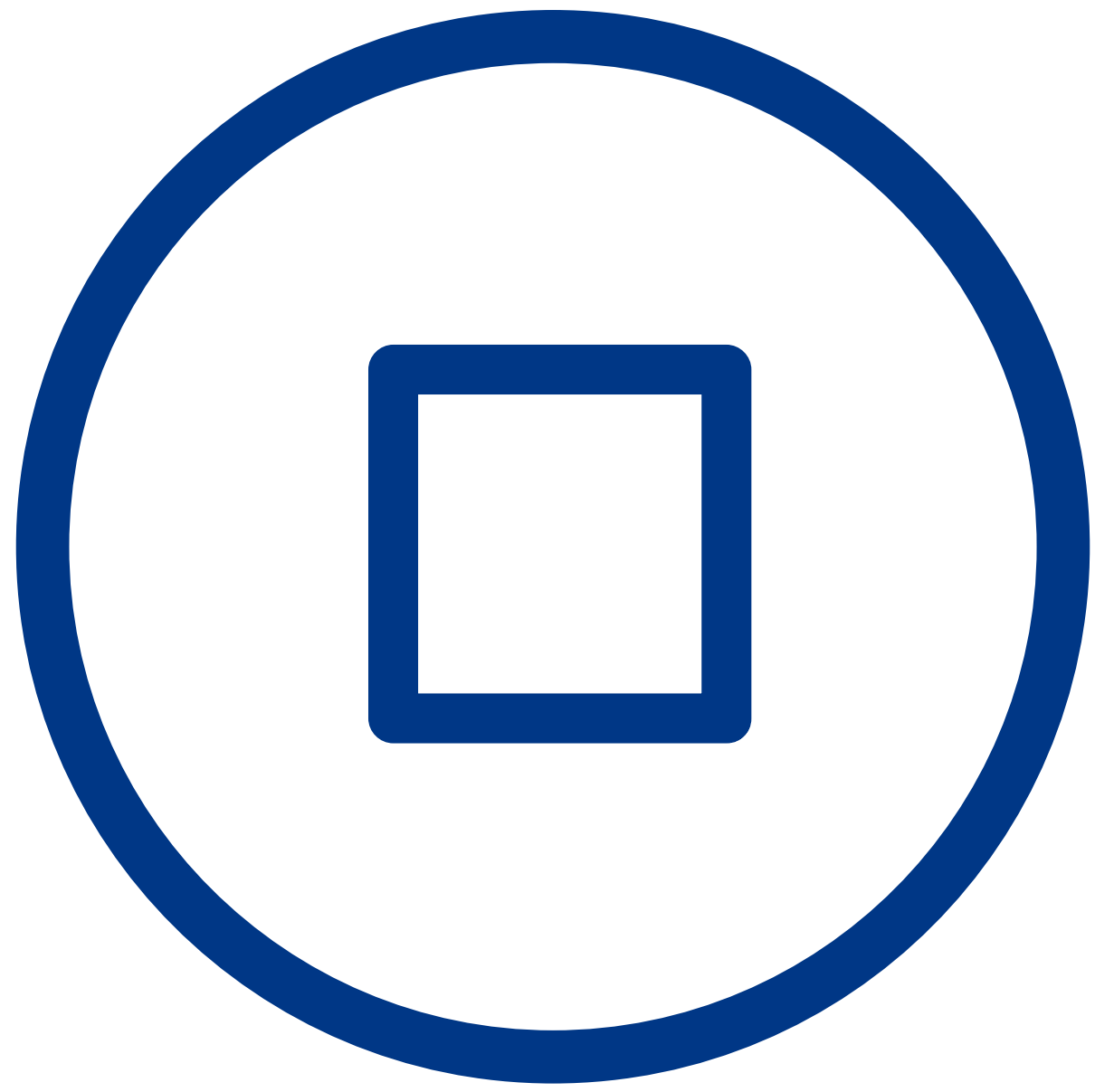
Convening the Meeting:

Your meeting must have a clear beginning, middle and end structure.

You must ensure that only the issues brought up in the invite letter or any additional paperwork you enclosed with the letter is discussed.

How long will the meeting take? The answer is that it depends how complex the situation is. You must leave enough time to allow your employee to respond.

Adjourning the Meeting:



The adjournment is important, as this gives you an opportunity to consider the outcome decision.

Once you reach an outcome decision that you feel confident with that is fair, you can reconvene the meeting to deliver your outcome decision, or it may be preferable to confirm your decision in writing.

What Others Say:



'Alistair and John are always on hand to give advice. They offer a great service and always have an answer to any problems. I would thoroughly recommend HR Booth for any HR related problems.'

Hilda Logan - East Lothian Produce

'Tullochan have been using the services of HR Booth for over 2 years and we have an excellent working relationship. They are always there to answer any queries and are extremely good at LISTENING to the concerns and only when they fully understand the issues do they then discuss possible solutions. HR Booth are extremely good value for money and 100% reliable; the stress of HR has gone!!!'

June McDonald - Tullochan

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