

MANAGING YOUR EMPLOYEES

Guide 3.5: Dealing with Disciplinary

You've established to your own satisfaction that the problem with your employee is something they could do but won't. Maybe they keep turning up late for work, or are repeatedly not following simple food hygiene guidelines that you have told them about many times.

Deal with it Informally

The best way to address poor behaviour is to deal with it at the time it happens. Ideally, have a quick word with the employee in private there and then or, if that's not possible, speak to them in private at the end of their working day. Make sure to ask them why they behaved in the way they did. It may be that they are having some personal problems right now or are feeling unwell. Make a note about what happened and what you said to them. Give them a copy.

However, if the poor behaviour keeps happening, or the behaviour is so bad that a quick word doesn't seem enough, you may have to arrange a more formal disciplinary meeting with them.

The Formal Disciplinary Meeting

Arrange a date and time when you can speak to your employee in private. You will need to give them advance warning of this meeting in writing (email is fine). A template you can use is included below.

You will need to send them copies of any evidence you have. For example, copies of the notes you made from the discussions you had with them above.

By law, you are also obliged to allow them to be accompanied in the meeting by either a work colleague or a trade union representative. You may want to have someone in the meeting to take notes, but you do need to keep the meeting as confidential as possible.

In the meeting you should:

- Explain what you think the employee has done
- Go through the evidence
- Ensure notes are taken.
- The employee should be given the chance to:
 - Give their point of view
 - Ask questions
 - Show you any evidence they might have
 - Choose if their companion can speak on their behalf.

At the end of the meeting, you need to decide what action you want to take. This could be:

No action

It may be that it was all a misunderstanding, or that evidence the employee has provided means that you are now not sure exactly what did happen.

Issue a Written Warning

This would be for relatively minor misconduct, or because you believe it will not happen again.

Issue a Final Written Warning

This would be for more serious matters or because the employee does not seem to accept that they have done anything wrong. This makes you concerned that they could do it again. A final written warning would be the last step before considering dismissal.

Following the meeting, you should always write to the employee to confirm the outcome. You will need to state clearly the reasons for your decision and how you expect them to behave in the future. A template you can use is included.

Serious Misconduct

Sometimes an employee may do something which you find completely unacceptable. They have behaved in a way which makes you think that you can never trust them again. This could be hitting a colleague, or stealing from your business. In situations like these you may need to consider suspension and/or dismissal.

The process to be followed is similar to that described above, but see also guide 3.7 'Managing Your Employees – Letting Your Employees Go'. If you think you need to let someone go, always seek advice first.

In this case, see guide 3.5 'Managing Your Employees – Dealing with Disciplinary'.

For HR support, please contact Colden HR on [0121 284 0852](tel:01212840852) or email enquiries@coldenhr.co.uk and quote your NCASS membership number.