

# eHR Programme

**D299 Steady State User Guide for**

**6.01 Disciplinary (Industrial Staff)**

**Version 4.9**

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## 6.01a Disciplinary (Industrial)

The following user guide sets out the steps that will be followed where your performance, attendance or behaviour is perceived as unacceptable and is subject to the disciplinary procedure. It also sets out the role of Line Management and Departmental HR.

### ***In summary:***

#### **If you are alleged to have committed a disciplinary offence you will:**

- Attend informal meeting(s) with Line Management to discuss your conduct or behaviour, which may result in an informal warning (Step 1 Attend informal meeting(s) with Line Management)
- Receive notification from Line Management of decision to initiate a formal investigation (Step 2 Receive notification from Line Management of decision to initiate a formal investigation)

#### ***The investigation***

- Receive notification of outcome of investigation from Line Management (Step 1 Receive notification of outcome of investigation from Line Management)
- Confirm your attendance at the disciplinary meeting (Step 2 Confirm your attendance at the disciplinary meeting)
- Submit your written response to charge(s) made against you (Step 3 Submit written response to charge(s) made against you)

#### ***The disciplinary meeting***

- Attend disciplinary meeting (Step 1 Attend disciplinary meeting)
- Receive decision of the outcome of the formal meeting from Line Management (Step 2 Receive decision of the outcome of the formal meeting from Line Management)

#### **If you wish to appeal against the disciplinary decision you should:**

- Lodge written notice of appeal with Line Management (Step 1 Lodge written notice of appeal)
- Receive acknowledgement of receipt of appeal from HRConnect (Step 2 Receive acknowledgement from HRConnect)
- Attend the appeal meeting (Step 3 Attend appeal meeting)
- Receive confirmation from Line Management of the outcome of the appeal (Step 4 Receive confirmation of outcome of appeal meeting from Line Management)

#### **Line Management will:**

- Identify issue and hold informal meeting(s) with member of staff, which may result in an informal warning being issued (Step 1 Identify issue and hold informal meeting(s) with member of staff)
- Consult with Departmental HR (Step 2 Consult with Departmental HR)
- Advise member of staff of decision to proceed with a formal investigation or otherwise (Step 3 Advise member of staff of decision to proceed with a formal investigation or otherwise)

#### ***The investigation***

- Initiate investigation into case (Step 1 Initiate investigation into case)
- Advise member of staff of outcome of investigation (Step 2 Advise member of staff of outcome of investigation)

#### ***The disciplinary meeting***

- Hold disciplinary meeting (Step 1 Hold disciplinary meeting)

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- Hold follow-up meeting, where required, to discuss and agree outcome of disciplinary meeting (Step 2 Hold follow-up meeting, where required, to discuss and agree outcome of disciplinary meeting)
  - Advise member of staff of outcome of meeting (Step 3 Advise member of staff of outcome of meeting)

**If a member of staff appeals against the disciplinary decision, Line Management will:**

- Receive written notice of appeal (Step 1 Receive written notice of appeal)
- Hold the appeal meeting (Step 2 Hold appeal meeting)
- Hold a follow-up meeting, where required, to discuss and agree outcome of appeal meeting (Step 3 Hold a follow-up meeting to discuss and agree outcome of appeal meeting)
- Advise the member of staff of the outcome of the appeal (Step 4 Advise member of staff of outcome of appeal)

**Departmental HR will:**

- Identify perceived unacceptable misconduct by a member of staff and inform line management to initiate the disciplinary process. (Step 1 Identify issue and inform Line Management)
- Provide guidance to Line Management in dealing with a case at informal meeting stage (Step 2 Provide guidance to Line Management in dealing with a case at informal meeting stage)
- Advise Line Management on initiating formal proceedings (Step 3 Advise Line Management on initiating formal proceedings)
- Provide guidance to Line Management advising staff of action to be taken against them (Step 4 Provide guidance to Line Management advising staff of actions to be taken)

***The investigation***

- Provide guidance to Line Management in respect of the result of the formal investigation (Step 1 Provide guidance to Line Management in respect of the result of the formal investigation)

***The disciplinary meeting***

- Provide input to disciplinary meeting, as appropriate (Step 1 Provide input to disciplinary meeting, as appropriate)
- Provide input to follow up meeting to discuss and agree outcome of disciplinary meeting, as appropriate (Step 2 Provide input to follow up meeting to discuss and agree outcome of disciplinary meeting, as appropriate)

**If a member of staff appeals against the disciplinary decision, Departmental HR will:**

- Provide input to the appeal meeting (Step 1 Provide input to appeal meeting)
- Provide input to follow up meeting to discuss outcome of appeal (Step 2 Provide input to follow up meeting to discuss outcome of appeal)

In addition to this user guide, you may also wish to refer to the following which can be found in this Handbook:

- 6.01, Standards of Conduct policy
- 6.03, Discipline policy
- Dispute Resolution Meeting Guidance [DN: need to confirm who is writing this guidance]

**The following terms within this guide are defined in the glossary:**

Serious misconduct

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## 6.01a Disciplinary (Industrial)

### User guide for Industrial Staff

#### *Initiating the disciplinary process*

##### **Step 1 Attend informal meeting(s) with Line Management**

Based on day to day observations and/or evidence and information from other sources within the Service, Line Management will speak to you on an informal basis if it is considered that your conduct or performance is not satisfactory.

Line Management may set up an informal meeting or a series of informal meetings with you to discuss your conduct/performance and to agree the improvement that is required. The primary aim of this meeting(s) will be to resolve the issue as quickly as possible and avoid the need to initiate formal proceedings. At this stage, the Manager may decide to issue you with an informal warning.

If your conduct improves to a satisfactory level, it should not be necessary for Line Management to take action and your Line Manager will inform you that this is considered the end of the matter. As this is an informal process no record of the meeting will be held on your personal file although your Line Manager will keep a diary note of this discussion for future reference, if required.

If however, your conduct/performance does not improve following this meeting(s), Line Management will review this matter with Departmental HR and may decide to initiate a formal investigation into your conduct. With this being a formal investigation, you have the right to be accompanied.

You should note that in cases where Line Management has identified an incident involving serious misconduct, an informal meeting will not be held and the process will move immediately to the formal stages. In instances where it is felt suspension may be appropriate due to the nature of misconduct, Departmental HR will be consulted and this may result in you being suspended from your role until a complete and thorough investigation into the issue has been undertaken.

##### **Step 2 Receive notification from Line Management of the decision to initiate a formal investigation**

Following consultation with Departmental HR, Line Management will meet with you again. At this meeting you will be notified whether or not it has been decided to initiate a formal investigation into your conduct/performance. There may be situations where it is more appropriate for Departmental HR to inform you directly by writing, telephone (in exceptional circumstances) or by meeting with you instead of the Line Manager, dependent on circumstances.

In cases where suspected criminal activity has taken place the case may be handed over to the authorities for external investigation and so an internal investigation will normally wait until the conclusion of any police investigation.

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Where it has been decided to initiate a formal investigation, you will be informed of the procedure that will be followed. This will include details of the formal investigation that will take place into the allegations made against you and the disciplinary meeting that may be held following the outcome of the investigation. You may be asked to assist with this investigation, for example, by attending an interview with the investigating officer.

Where it has been decided not to proceed with a formal investigation, no further meetings or action will take place at this stage. Your conduct/performance however, will continue to be monitored by Line Management.

You should refer to the 6.03, Discipline policy in this Handbook for further details of conduct or performance that may lead to disciplinary proceedings being initiated against you.

### ***The investigation***

#### **Step 1 Receive notification of the outcome of the investigation from Line Management**

A full investigation into your alleged misconduct/performance will be held by HRConnect.

Following this investigation, if it is decided that no further action is to be taken, Line Management will arrange a meeting with you to notify you of this outcome and issue you with written correspondence confirming that no further action is to be taken and where appropriate, the end of your suspension period. There may be situations where it is more appropriate for Departmental HR to inform you directly by writing, telephone (in exceptional circumstances) or by meeting with you instead of the Line Manager, dependent on circumstances.

If further action is to be taken, you will receive a letter directly from HRConnect confirming the following:

- Details of the disciplinary charge(s) made against you
- Date, time and venue of your disciplinary meeting
- Who will chair the meeting
- Who will attend the meeting
- Your right to be accompanied by a Trade Union representative or work colleague of your choice at this meeting
- You are required to notify HRConnect in advance of the meeting who, if anyone, will accompany you to this meeting
- Details of how to submit a written response to the charge(s) made against you

#### **Step 2 Confirm your attendance at the disciplinary meeting**

Once you have received written confirmation of your disciplinary meeting, you must confirm your availability to attend this meeting along with details of your nominated companion. If you have any special needs you should make this known so that it can be taken into consideration when arranging the meeting. Details of how to do this will be included in the letter you will receive from HRConnect.

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If you are unable to attend the disciplinary meeting, you must inform HRConnect immediately giving reasons why you are unable to attend. An alternative date and time may be arranged and will be confirmed with you in writing.

### **Step 3 Submit written response to the charge(s) made against you**

You will be given the option to submit within a reasonable period of time (normally 10 working days, but a shorter or longer period if agreed in the circumstances of a particular case), a written response to the charge(s) made against you. If you wish to submit a written response this must be sent to HRConnect. Full contact details will be included within the letter confirming the date of your disciplinary meeting.

## ***The disciplinary meeting***

### **Step 1 Attend disciplinary meeting**

You must attend this meeting on the date confirmed with HRConnect. Failure to attend this meeting may result in the meeting taking place and a decision based on available information being made in your absence.

Prior to the meeting, you and your nominated companion will receive an information pack from HRConnect.

The meeting will be held by Line Management with input from Departmental HR and other relevant parties, as appropriate. The purpose of this meeting will be to:

- Ensure all aspects of the case and supporting evidence are presented by Line Management
- Give you the opportunity to respond to the evidence presented and present any mitigating factors or other relevant evidence you feel is appropriate to your case

A written summary of the meeting will be taken and should be agreed by all attendees following the meeting. Where the summary is not agreed, notes will be made of the areas in dispute and attached to the document for future reference.

In the event that additional evidence or documentation is required at the meeting, the meeting may be adjourned and re-convened at a later date or even later during the day, if appropriate. In the event that the meeting is to be re-convened later in the day, you will be informed by the officer holding the meeting. In the event that the meeting is to be re-convened at a later date, you will be notified in writing of the date, time and venue by HRConnect.

### **Step 2 Receive decision of the outcome of the formal meeting from Line Management**

Following the disciplinary meeting, Line Management will arrange to meet with you to confirm any disciplinary action to be taken. It should be noted, however, that in cases of serious misconduct such as fraud, it may not be appropriate for Line Management to meet to discuss this with you and HRConnect will consult Departmental HR on the most appropriate method of communication.

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At this meeting, you will also be issued with a letter confirming the decision of the meeting and disciplinary action to be taken. This letter may include details of:

- Penalty short of dismissal
- Notice of intention to dismiss
- No further action
- Your right to appeal against the disciplinary decision and details of the appeals process and time limits within which an appeal must be lodged.

A copy of this letter will be sent to other relevant parties, as appropriate, instructing them of the outcome of the meeting and relevant disciplinary actions.

In the event that you are suspended without pay as a result of a disciplinary penalty, you may be eligible to claim Social Security benefits. As this information is required for payroll purposes, HRConnect will send you a Statement of Social Security Allowances request form which you should complete and return as soon as possible.

### ***Initiating an internal appeal***

#### **Step 1 Lodge written notice of appeal**

If you wish to appeal against the formal disciplinary action, you must submit written notice of appeal to Line Management. Your appeal must be made within the specified time limits and contain details of the grounds on which you wish to appeal. Guidance on time limits can be found within 6.03, Discipline policy in this Handbook.

#### **Step 2 Receive acknowledgement from HRConnect**

If your notice of appeal is received outside of the specified time limit, Line Management will consult with Departmental HR and consider whether to accept your appeal based on any exceptional circumstances. You will be informed in writing by HRConnect of their decision. If it is felt that there are no acceptable grounds for the appeal being received late, you will be advised accordingly and this will end the internal appeals process.

If your appeal is to be heard, you will receive a letter from HRConnect confirming details of your appeal. This letter will include:

- Date, time and venue of your appeal meeting
- The purpose of the appeal meeting
- Who will attend the appeal meeting
- Your right to be accompanied by a Trade Union representative or work colleague of your choice
- You are required to notify HRConnect in advance of the meeting who, if anyone, will accompany you to this meeting
- If applicable, the reason for accepting the late appeal

Once you have received written confirmation of your appeal meeting, you must confirm your availability to attend this meeting along with details of your nominated companion. If you have any special needs you should make this known so that it can be taken into consideration when arranging the meeting. Details of how to do this will be included in the letter you will receive from HRConnect.

If you are unable to attend the appeal meeting, you must inform HRConnect immediately giving reasons why you are unable to attend. An alternative date and time may be arranged and will be confirmed in writing.

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**Step 3 Attend appeal meeting**

You must attend this meeting on the date confirmed with HRConnect. Failure to attend this meeting may result in the meeting taking place and a decision being made in your absence.

Prior to the appeal meeting, you and your nominated companion will receive an information pack from HRConnect. This pack will include relevant case related documents, including the written summary of the initial meeting.

The appeal meeting will normally be held by an officer from Line Management, at least one grade above the officer who held the initial disciplinary meeting. The purpose of the appeal meeting will be for you to state the grounds of your appeal against the decision of the initial meeting. The officer holding the appeal will then consider all relevant factors and decide whether or not the decision of the initial meeting was appropriate. A written summary will be taken during the appeal meeting and should be agreed by all attendees following the meeting. Where the summary is not agreed, notes will be made of the areas in dispute and attached to the document for future reference.

In the event that additional evidence or documentation is required at the appeal meeting, the meeting may be adjourned and re-convened at a later date or even later in the day, if appropriate. In the event that the meeting is to be re-convened later in the day, you will be informed by the officer holding the appeal. In the event that the meeting is to be re-convened at a later date, you will be notified in writing of the date, time and venue by HRConnect.

**Step 4 Receive confirmation of outcome of appeal meeting from Line Management**

Following the meeting, Line Management will contact you to arrange a meeting to confirm the outcome of the appeal meeting. You should note that where the appeal has been dealing with a case of serious misconduct or cases or repeated misconduct, this meeting will be held by Departmental HR.

At this meeting, you will receive written confirmation of the decision of the appeal meeting which may state:

- The disciplinary action should be upheld
- The disciplinary action should be overturned
- The disciplinary action should be amended

Where the decision of the appeal is to uphold or impose the penalty of suspension from duty for a specific period with loss of pay, you may be eligible to claim Social Security benefits.

As this information is required for payroll purposes, HRConnect will send you a Statement of Social Security Allowances request form which you should complete and return as soon as possible.

Where a sanction period has been in operation, HRConnect will write to you on completion of the period to confirm the expiry date.

This concludes the internal appeals process.

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## 6.01a Disciplinary (Industrial)

### User guide for Line Management (Industrial Staff)

#### *Initiating the disciplinary process*

##### **Step 1 Identify issue and hold informal meeting(s) with member of staff**

Based on day to day observations and/or evidence from other sources within the Service, you may need to speak to a member of staff on an informal basis if you consider that their conduct or performance requires improvement.

You will be required to arrange an informal meeting or a series of informal meetings to discuss the staff member's conduct or performance and agree the improvement that is required. The primary aim of this meeting(s) will be to resolve the issue as quickly as possible and avoid the need to initiate formal disciplinary proceedings. At this point, you may decide to issue an informal warning to the staff member. Whilst no formal record of this meeting(s) will be held on the staff member's personal record, you should keep a diary note of your discussion for future reference, if required.

You should note that in cases of alleged serious misconduct, or cases of repeated misconduct that has resulted in previous informal or formal disciplinary action being taken an informal meeting may not be appropriate and the process will move immediately to the formal stages. In instances where it is felt suspension may be appropriate until a complete and thorough investigation has been undertaken into the issue identified, you must consult with Departmental HR in the first instance.

Before attending an informal meeting, you should consult either HRConnect or Departmental HR as appropriate for advice and guidance on how to hold the meeting and to discuss any policy and employment law issues you should be aware of.

If the staff member's conduct improves to the required standard, there will be no further action required although you will be expected to continue monitoring the conduct of the member of staff as usual. You will also need to inform the member of staff that no further action will be taken.

##### **Step 2 Consult with Departmental HR**

Where a staff member's conduct or performance does not improve to a satisfactory level following the informal meeting(s), you should consult with Departmental HR to consider whether or not to initiate formal disciplinary procedures. ***This must be done by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

If the outcome of this discussion is a decision to proceed with a formal investigation into the alleged misconduct, you will record your decision on a "Disciplinary – Authorisation to proceed with formal investigation" form provided by HRConnect and return it for processing as soon as possible. ***This decision must be made by a Line Manager Level 2 and authorised by a Line Manager Level 1. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

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### Step 3 Advise member of staff of decision to proceed with a formal investigation or otherwise

Following this decision, you should arrange to meet with the member of staff to inform them of the decision taken with Departmental HR. ***This meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.*** There may be circumstances where it is more appropriate for Departmental HR to inform the member of staff of the decision.

Where you have decided not to initiate formal disciplinary proceedings, you will inform the member of staff of your decision not to take further action and confirm that this is the end of the matter.

Where you have decided to initiate the formal disciplinary procedure you will inform the member of staff that they will receive a letter from HRConnect which will confirm details of the disciplinary allegations, the investigation process and the formal disciplinary meeting that may follow.

### ***The investigation***

#### Step 1 Initiate investigation into case

A thorough investigation of the case will be held by HRConnect. Once the investigation is complete, HRConnect will prepare a full investigation report and forward this on to you. The report will provide details of the case and HRConnect's recommended course of action in relation to any charges that might be appropriate. This will be based on:

- 6.03, Discipline policy
- Findings of the investigation
- Previous decisions made in similar circumstances to ensure consistency in the way the policy is applied
- The staff member's previous disciplinary record, if appropriate

You will review the report and hold any further meetings and/or interviews you consider appropriate in order to decide on the charge(s) to be made against the member of staff. This may include a decision to take no further action. ***This review must be completed by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

It is likely that during this period, you will require input from Departmental HR, HRConnect and other relevant parties.

Once you have decided on the appropriate course of action, you must record your decision on the Investigation Outcome form provided by HRConnect and return it for processing as soon as possible. ***This form must be completed by a Line Manager Level 2 and authorised by a Line Manager Level 1. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

#### Step 2 Advise member of staff of the outcome of the investigation

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If, following the review of the investigation report, you decide not to take any further action HRConnect will generate the appropriate correspondence and forward this to you for issue to the member of staff. This letter will confirm that no further action is to be taken and if appropriate, it will also confirm the end of any suspension period. You will be required to arrange a meeting with the member of staff to advise them of the outcome of the investigation and issue them with this correspondence. ***This meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.*** There may be circumstances where it is more appropriate for Departmental HR to inform the member of staff of the decision.

If further action is considered necessary, a formal meeting with the member of staff and other relevant parties will be arranged and HRConnect will issue the member of staff with written confirmation as follows:

- Details of charge(s) against them
- Date, time and venue of disciplinary meeting
- Who will be chairing the meeting
- Who will be attending the meeting
- Their right to be accompanied by a Trade Union representative or work colleague of their choice
- Request to notify HRConnect of their nominated companion before they attend the meeting
- Details of how they can submit a written response to the charges(s) made against them

### ***The disciplinary meeting***

#### **Step 1 Hold disciplinary meeting**

Prior to the meeting HRConnect will provide you, the member of staff and their nominated companion with case papers for reference during the meeting.

The purpose of the disciplinary meeting will be to:

- Ensure that all aspects of the case are presented by you
- Provide the member of staff with the opportunity to respond to the evidence presented and present any mitigating factors or other relevant evidence they feel is appropriate to their case

A written summary will be taken during the meeting and should be agreed by all attendees following the meeting. Where the summary is not agreed, notes will be made of the areas in dispute and attached to the document for future reference.

In the event that further investigation, evidence or documentation is required by the officer hearing the case, the meeting may be adjourned and re-convened at a later date or even later during the day, if appropriate. In the event that the meeting is to be re-convened later in the day, the officer holding the meeting should inform the member of staff. In the event that the meeting is to be re-convened at a later date, the member of staff will be notified in writing of the date, time and venue by HRConnect.

You will consider what actions could be brought to improve the employee's behaviour (E.g. training, time management...)

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At the end of this meeting, the Line Manager is responsible for ensuring all case papers held by parties other than the member of staff are returned to HRConnect.

***The disciplinary meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this step to an appropriate Line Manager.***

### **Step 2 Hold follow-up meeting, where required, to discuss and agree outcome of disciplinary meeting**

Following the meeting, you may wish to arrange a follow-up meeting with the relevant parties, excluding the member of staff and their companion, to discuss the evidence presented and reach a decision on what action is to be taken. In instances where it is felt suspension may be appropriate, you must consult with Departmental HR. It should be noted, however, that you are ultimately responsible for the decision as to what action is to be taken.

Following this meeting, you will record your decision on the Disciplinary Meeting Outcome form provided by HRConnect and return it for processing as soon as possible. ***This decision must be made and authorised by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager. If the decision involves dismissal this decision must be authorised by a Line Manager Level 1.***

### **Step 3 Advise member of staff of outcome of meeting**

You must arrange to meet with the member of staff to confirm the outcome of the formal meeting and to issue them with written confirmation of any action to be taken. HRConnect will generate the relevant correspondence on your behalf and forward a copy to you. ***This meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

It should be noted, however, that in cases of serious misconduct such as fraud, it may not be appropriate for you to meet with the member of staff to discuss this and HRConnect will consult Departmental HR on the most appropriate method of communication.

You may decide in certain circumstances if employee is not at work, whether to post to home address by recorded delivery or delivery by hand. (E.g. sick absence, suspension, etc.)

## ***Internal appeals***

### **Step 1 Receive written notice of appeal**

In the event that the member of staff appeals against the disciplinary action taken, they will lodge written notice of appeal with you. ***All appeals will be received and actioned by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.*** The appeal

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documentation must be checked to ensure it is received within the specified time limit. Guidance on time limits can be found within the 6.03, Discipline policy in this Handbook. If the notice of appeal is received outside of the time limits you must, in conjunction with Departmental HR, decide whether there are acceptable grounds for the late receipt of the appeal. If you do not believe there are sufficient grounds for accepting the late appeal you must inform HRConnect who will inform the member of staff of your decision in writing. This will end the internal appeal process.

If the appeal is to be heard you will appoint an appropriate person at a more senior grade to hear the appeal. If required, you can seek further guidance from Departmental HR on identifying an appropriate person to hear the appeal. Normally, this will be an officer at least one grade above the officer who took the disciplinary decision. All notice of appeal documentation including details of the officer who will hold the appeal will then be submitted to HRConnect as soon as possible.

On receipt of the appeal documentation, HRConnect will issue an acknowledgement letter to the member of staff and, subject to the appeal being held, write to the member of staff providing details of:

- Charge(s) against them
- Disciplinary action taken
- Date, time and venue of appeal meeting
- Who will chair the appeal meeting
- Who will attend the appeal meeting
- Their right to be accompanied by a Trade Union representative or work colleague of their choice
- Request to notify HRConnect of their nominated companion before they attend the meeting
- If applicable, the reason for accepting the late appeal

## **Step 2 Hold appeal meeting**

If you are holding an appeal meeting, HRConnect will provide you, the member of staff and their nominated companion with case papers for reference during the meeting.

The purpose of the meeting will be for the member of staff to state the grounds of their appeal against the disciplinary decision taken. You will then consider all relevant factors including a review of the procedure followed and the fairness of the original decision. Using this information you will decide whether or not the disciplinary decision was appropriate. A written summary will be taken during the meeting and should be agreed by all attendees following the meeting. Where the summary is not agreed, notes will be made of the areas in dispute and attached to the document for future reference.

***The appeal meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

In the event that additional evidence or documentation is required at the appeal meeting, the meeting may be adjourned and re-convened at a later date or even later in the day, if appropriate. In the event that the meeting is to be re-convened later in the day, you will inform the member of staff directly. In the event that the meeting is to be re-convened at a later date, you will notify HRConnect who will then send out written notification of the date, time and venue of the meeting to the member of staff.

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At the end of this meeting, the Line Manager hearing the appeal is responsible for ensuring all case papers held by parties other than the member of staff are returned to HRConnect.

**Step 3 Hold follow-up meeting, where required, to discuss the outcome of the appeal meeting**

Following the appeal meeting, you may wish to arrange a follow-up meeting with all relevant parties, excluding the member of staff and their companion, to discuss the evidence presented and to decide an outcome. In instances where it is felt suspension may be appropriate, you must consult with Departmental HR. It should be noted, however, that you are ultimately responsible for the decision on what action is to be taken.

Following this meeting, you will record your decision on the Appeal Outcome form provided by HRConnect and return it for processing as soon as possible.

You will inform the employee of its right to appeal and on how to access the relevant proforma as well as associate timelines for submission

***This step must be completed by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

**Step 4 Advise member of staff of outcome of appeal**

Following the meeting, you must arrange a meeting with the member of staff to confirm the outcome of the appeal meeting. At this meeting you will also issue the member of staff with written confirmation of the decision of the appeal meeting. HRConnect will generate the relevant correspondence on your behalf and forward a copy to you. ***This meeting must be held by a Line Manager Level 2 or above. If you are not a Line Manager Level 2 or above you must re-assign this task to an appropriate Line Manager.***

There may be circumstances where it is more appropriate for Departmental HR to inform the member of staff of the decision.

This concludes the internal appeals process.

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## 6.01a Disciplinary (Industrial)

### User guide for Departmental HR (Industrial staff)

#### *Initiating the disciplinary process*

##### **Step 1 Identify issue and inform line management**

Based on day to day observations and/or evidence from other sources within the Service, you may identify perceived unacceptable misconduct by a member of staff. You will need to inform their line manager of this to initiate the disciplinary process.

##### **Step 2 Provide guidance to Line Management in dealing with a case at the informal meeting stage**

Departmental HR may be consulted by Line Management to provide advice and/or guidance in dealing with a case at the informal meeting stage.

In cases where Line Management has identified an issue of serious misconduct such as fraud, Line Management is instructed to consult with Departmental HR in the first instance.

##### **Step 3 Advise Line Management on initiating formal proceedings**

Where the informal process fails to resolve the issue and Line Management considers a formal investigation and meeting to be necessary, Departmental HR will be notified by Line Management of the issues. Where appropriate, Line Management will consult Departmental HR to seek advice and/or guidance on the formal procedures to be followed.

##### **Step 4 Provide guidance to Line Management advising staff of actions taken**

Following their discussion with Departmental HR, Line Management will be required to meet with the member of staff again. This meeting will either confirm that no further action is to be taken, or that a formal investigation is considered necessary to resolve the issue.

Line Management may seek advice and/or guidance in holding this meeting with the member of staff.

The member of staff will normally be informed of the decision by the Line Manager; however there may be situations where it is more appropriate for Departmental HR to inform the member of staff by writing, telephone (in exceptional circumstances) or meeting, dependent on circumstances.

#### ***The investigation***

##### **Step 1 Provide guidance to Line Management in respect of the result of the formal investigation**

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Departmental HR may be approached by Line Management to discuss the result of the formal investigation and to provide advice and/or guidance on the appropriate course of action to be followed.

### ***The disciplinary meeting***

#### **Step 1 Provide input to disciplinary meeting as appropriate**

Line Management will hold the disciplinary meeting, requesting input from Departmental HR and other parties as appropriate.

#### **Step 2 Provide input to follow-up meeting to discuss and agree outcome of disciplinary meeting, as appropriate**

Following the meeting, the officer who held the meeting may wish to arrange a follow-up meeting with all relevant parties, excluding the member of staff and their companion, to discuss the evidence presented in order to reach a decision on what action is to be taken. The officer holding this meeting may seek input from Departmental HR, as required, however it should be noted that the officer who held the meeting is ultimately responsible for deciding what action is to be taken.

The member of staff will normally be informed of the decision by the Line Manager; however there may be situations where it is more appropriate for Departmental HR to inform the member of staff by writing, telephone (in exceptional circumstances) or meeting, dependent on circumstances.

**Departmental HR will receive a copy of the letter issued from HRConnect and will review and insert Reasons for decision.**

### ***Internal Appeals***

#### **Step 1 Provide input to appeal meeting**

The appeal meeting will normally be held by an officer from Line Management at least one grade above the officer who took the disciplinary decision. Where appropriate, the officer holding the meeting may seek input from Departmental HR at this meeting.

Line Management will also seek input from Departmental HR if an appeal is received out of time in order to determine whether or not there are acceptable grounds for the late receipt of the appeal notice.

#### **Step 2 Provide input to follow-up meeting to discuss the outcome of the appeal**

Following the meeting, the officer who held the meeting may wish to arrange a follow-up meeting with all relevant parties, excluding the member of staff and their companion, to discuss the evidence presented and decide an outcome. The officer holding this meeting may seek input from Departmental HR as required, however, it should be noted that the officer who held the meeting is ultimately responsible for deciding what action is to be taken.



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The member of staff will normally be informed of the decision by the Line Manager; however there may be situations where it is more appropriate for Departmental HR to inform the member of staff by writing, telephone (in exceptional circumstances) or meeting, dependent on circumstances.