



HR HEROES

Disciplinary Issues? What You Need to Know...

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HR Heroes are your local providers of Employment Law, Human Resources and Health & Safety advice for businesses with fewer than 100 staff.

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We look forward to hearing from you.

Make the complicated simple,
your business is tough enough.

Dealing with disciplinary issues with your staff is always difficult and can be stressful. But why do you discipline an employee?

There is a lot to tell you about the disciplinary process – for example did you know...

- You should write to the employee inviting them to a hearing, giving them at least 48 hours' notice – this is so that the employee is aware of why they are being called to a disciplinary hearing, and so that they also have a reasonable amount of time to prepare their case.
- Within the letter you also need to detail their right to be accompanied. The accompaniment can only be a work colleague or a trade union representative and their role is to support the employee.
- That you must give the employee the right of appeal for when you have reached your decision. This is so that there is a fair practice in ensuring that the right decision has been made in the first place. Ideally the appeal should be



heard by a manager that is more senior than the chairperson who held the initial hearing.

If your staffing levels allow it, a different member of your management team should ideally conduct each stage of the disciplinary process.

For example:

- The line manager conducts the investigation
- Another manager at the same level chairs the actual disciplinary hearing
- A more senior manager hears the appeal hearing

These points are all basic employment obligations that as the employer you must follow to ensure any disciplinary action is as fair and consistent as possible.

Following the right procedure is extremely important in helping to avoid any potential court action.



QUESTIONS ABOUT THIS FACTSHEET?

If you have any questions about the information contained in this factsheet, no matter how small or you require template documents, don't hesitate to contact us.