



INTRODUCE workshop by explaining:

- Disciplinary is a tool in the manager toolkit to assist employee performance management – all be it a very different style of interview to a performance coaching meeting
- The disciplinary, although fairly rare in implementation, is an essential ingredient to help people raise their level of conduct or performance at work
- The bite sized workshop is about understanding the process, being able to prepare to undertake the disciplinary interview (including the ‘investigation’ phase) and chairing the interview

POINT OUT:

- Today is also about demystifying the disciplinary process and convincing you that it is a relatively straightforward procedure as long as rules and guidelines are adhered to
- It is a fact that most companies lose employment tribunals (where an aggrieved ex-employee is suing for unfair dismissal) because they didn’t follow their own procedures

GAUGE reaction from the delegates on how confident they feel about undertaking the disciplinary interview. Probe the barriers, offering reassurance.

ISSUE handout: Bite Size Training: Disciplinary Interview and encourage delegates to make their own notes throughout the session.

ENCOURAGE thoughts amongst the delegates about action planning throughout this bite sized session. **MENTION** the Start - Stop - Continue method of capturing action planning i.e.:

What have they learnt they need to:

- **Start** doing?
- **Stop** doing?
- **Continue** doing, but more often?

STRUCTURE OF THE DISCIPLINARY PROCESS



SHOW slide.

Structure – 4 Stages

1. Preparation for Interview
 - Employee
 - Manager (inc. Investigation)
 - Environment
2. Disciplinary Interview Part 1
 - Agree the Gap
 - Explore reasons for Gap
3. Disciplinary Interview Part 2
 - Eliminate the Gap
4. Appeal

Structure of the disciplinary process

Q. How does your managerial style differ in undertaking the disciplinary interview compared with any other meeting we have with employees?

A. More autocratic and direct. Our approach is one of fact finding and gathering evidence to make a balanced judgement about any action. In other meetings (such as performance counselling, Appraisals or just reviewing task progress), our style is more participative/consultative.

However it still does not negate the need in disciplinary interviews to:

- Actively listen
- Empathise when required
- Establish reasons
- Be assertive and positive
- Be open minded

Perhaps the disciplinary interview is less about influencing and persuasion and more about investigation of the facts.

REFER to slide and page 5: Structure of the disciplinary process in delegate handout.

POINT OUT:

- The same process applies for cases of gross misconduct as other misdemeanours
- Preparation steps for the employee are very important. We need to demonstrate openness and transparency. The employee needs to be given advance warning and an opportunity to prepare his/ her case
- In cases of misconduct ACAS stresses that, if possible, the manager who chairs the disciplinary interview should be different from the investigating manager. This again promotes 'fairness and reasonableness'