

Discipline & Grievance

Introduction

Disciplinary situations are those that involve breaches in standards of conduct and wilful under-performance.

Grievances can be raised at any time by employees based on any issue, large or small, that they have with a colleague, manager or organisational policies, practices and procedures. Both can take considerable management time and can be the cause of concern for managers. It is essential that managers deal with these issues in a consistent, fair and legal manner in accordance to policy, procedure, best practice and legislation, as well as the needs of the business, so that they avoid damage and costly implications for the organisation. Managers need obtain all of the facts and to record their findings in full.

They will then need to understand the legal implications of words and actions. This course is aimed at managers, team leaders and supervisors with responsibility for handling discipline and grievance issues.

We will examine:

- Best practice
- The importance of following procedures
- How to gather evidence
- Legal traps and pitfalls
- Being fair and just
- Aims and objectives of discipline

This will be a practical and interactive course where participants will practice the skills and techniques discussed as well as develop tier knowledge and understanding of the topics.

Objectives

By the end of this course participants will be able to:

- Explain that discipline and grievance are
- Explain the purpose of a disciplinary process
- Gather evidence
- Act fairly in disciplinary proceedings

Content

A sample of what is covered includes:

The Legal Aspects

Discipline and procedures

- Best practice: disciplinary and grievance procedures
- The purpose of disciplinary and grievance procedures

Managing Performance

Grievance Procedures

- What the law requires
- Grievance or grumble?
- Understanding and applying your organisation's procedures

Disciplinary Procedures

- Legal requirements
- Understanding and applying your organisation's procedures
- Conducting investigations
- Witness statements
- Anonymity
- Conducting the disciplinary hearing
- Acting fairly and reasonably
- Natural justice
- The right to be accompanied (and by whom)
- The appeals procedure and its importance

A Practical Approach to Common Issues

- Handling poor performers
- Managing absence; short and long-term
- Dealing with misconduct; in and out of work
- Dealing with bullying and harassment issues
- Misuse of social media

Questioning Techniques

Communication Skills (verbal and nonverbal)

Planning the Interview

- The interview
- Gathering evidence for all criteria
- The assessment

Dismissal

- What is wrongful, unfair and constructive dismissal?
- Potentially fair reasons for dismissal
- Dismissal procedures, including right of appeal
- Procedural flaws

