

# Disciplinary, capability and grievance issues

## Overview

This programme will enable participants to manage disciplinary, capability and grievance issues effectively. The emphasis is on the use of a structured approach, with problems identified early and managed positively and proactively. The course builds knowledge, skill and confidence in handling these issues objectively, fairly and appropriately in line with internal policies / procedures, best practice and legal requirements.

The programme is always tailored to the client organisation's internal policies and procedures. Participants are asked to familiarise themselves with relevant policies before the course since they will be referred to during the training.

## Learning objectives

This is a skills- and confidence-building programme which will help participants to:

- Take disciplinary action in a timely and appropriate manner
- Appreciate the employment law issues involved
- Ensure that they act in accordance with your organisation's policies and procedures
- Prepare for a disciplinary hearing
- Manage grievances either formally or informally, as appropriate
- Prepare and conduct investigations into alleged incidents in the workplace

## Audience

All managers, in any type of organisation – large or small; public, voluntary or private sector.

## Format

This one-day course is highly participative and uses group exercises, case studies and practical exercises to illustrate problems and develop a best practice approach in dealing with them. Group discussions and feedback are used to develop learning points and to enable participants to relate examples to their own situations.

Participants will be sent a welcome pack in advance of the session which will include some pre-course work as well as asking them to reflect upon their own experiences and challenges in this area. Participants will also be asked to familiarise themselves with the key internal policies and procedures relating to this area and to bring copies to the course for reference throughout.

## Special feature

This programme is, of necessity, tailored to each different organisation in which it is delivered, to reflect their policies and procedures, definitions of managerial responsibility, etc. The content, duration, objectives and material used can all be tailored to suit your specific needs.

## Workshop outline

### 1 Introduction

- Course objectives and benefits from attending this course
- Participants' experience and confidence in this area
- Personal objectives
- A scenario – identifying reasons for poor performance
- The difference between conduct and capability

### 2 Employment legislation

- An overview of current legislation / case law in relation to unfair dismissal and discrimination
- Practical implications for managers

### 3 Managing conduct

- The purpose of taking disciplinary action
- Disciplinary rules and procedures
- ACAS Code of Practice
- Rights of representation
- The importance of setting clear standards and the need to measure and monitor performance / conduct objectively and consistently

### 4 Understanding disciplinary policy and procedures

- Overview of internal policy and procedures
- Informal and formal action
- Overview of key stages (investigation, hearing, appeal)
- Outcomes and levels of warning
- Ordinary dismissal and dismissal for gross misconduct
- Roles and responsibilities
- Working with HR
- Working with TU representatives where appropriate

### 5 The disciplinary hearing

- Preparing for the hearing – a checklist
- Roles and responsibilities of all present
- Structuring the hearing
- Using witnesses
- Taking notes
- Reviewing the evidence and reaching a decision objectively
- Written confirmation of decision
- Rights of appeal
- *Practical scenario-based exercise*

### 6 Managing capability

- Your organisation's procedure – overview of internal policy and procedure
- Informal and formal action
- Overview of key stages and potential outcomes
- Roles and responsibilities
- *Practical scenario-based exercise*

## 7 Managing grievances

- Understanding what constitutes a grievance
- Informal resolution
- Managing grievances in line with your organisation's grievance policy and the ACAS Code of practice
- Roles and responsibilities
- *Practical scenario-based exercise*

## 8 And finally...

- Open forum – remaining challenges and 'what if' scenarios
- Action planning – identifying how participants will transfer this learning into the workplace and what else they may need which will help them to do this effectively
- Review and close

For a no-obligation discussion about running this programme for your organisation on an in-house basis, just give us a call on **01582 463462**.