Disciplinary Policy Guidance – Line Manager

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Action	Supporting information
Familiarise yourself with the Disciplinary Policy	The Disciplinary Policy must be read in conjunction with this guidance.
Manage any conduct issues **informally** unless the matter is serious i.e. there has been a serious breach of policy or the misconduct cannot be addressed informally	If the matter is straight forward e.g. poor time keeping, poor communication etc. and it is likely an improvement can be made easily, you should arrange to meet the employee to discuss. Explain what the issue is, what improvement you need and by when. Agree if some additional support or training will be arranged. Confirm these details in writing (an email will be sufficient). Arrange a review meeting with the employee after the agreed time frame. If the required improvement has taken place confirm that you need this standard to continue and that the matter is now closed. Confirm the outcome in writing (an email will be sufficient). Keep copies of your emails so that you can refer to them in future if necessary. Employees are not entitled to be accompanied at informal meetings.
Initiate the **formal disciplinary process** if there has been no improvement in conduct after the informal procedure or a more serious issue or allegation has been identified	Contact the HR Advisory Service via the HR Helpline to explain the situation or what issue has occurred and agree how to take matters forward. Depending on the issue you may be able to carry out some fact finding but normally an Investigating Officer (IO) will be appointed. Your assigned HR Case Manager will agree the approach with you and who should conduct any formal investigation.
Conduct a **fact finding exercise** if applicable	If the case is straight forward your HR Case Manager may ask you to carry out basic fact finding into the case. Depending on the issue this might be as much as is required for the investigation. E.g. collecting data about the number of times the employee has been late.

Consider **suspension** only if the allegation of misconduct is very serious and other risks apply.	You must **talk to your Head of HR** or Head of HR – Advisory and Case Management before you make any decision to suspend. You should only suspend if: • the employee remaining at work will cause a risk to others • working relationships have severely broken down • the employee is the subject of criminal proceedings which may affect whether they can do their job • the employee could interfere with the investigation, put pressure on witnesses or tamper with evidence Consider **other options** instead of suspension such as working from home, restricting duties, changing working hours etc. **Remember that suspension is not a disciplinary sanction.** It is a neutral act. **Meet the employee to suspend**. Make sure you tell the employee that suspension does not mean that any decision has been made about their conduct. Agree with the employee how you will explain their absence to colleagues etc. if necessary. You must keep details of the suspension confidential. Advise them of the next steps i.e. that an investigation will take place and **agree how you will keep in contact** with them and how the Investigating Officer will contact them e.g. email, letter, phone to invite them to an investigatory meeting. You must ensure the employee continues to receive their contractual **pay and benefits.** Make arrangements to cover any work that must be carried out in the employee's absence. Consider e.g. out of hours work, on call, teaching commitments etc. You must **write to the employee** confirming the reasons for the suspension and any arrangements and conditions. The suspension must be regularly reviewed with the Head of HR or the Head of HR – Advisory and Case Management. You must **update the employee regularly** about their suspension and how long it is likely to last. Any period of suspension should be as short as possible. Make sure the employee is advised when the investigation is reaching its conclusion and what the next steps will be e.g. that they will receive a letter from the IO about whether or not there is a case to answer.

Attend an **investigation interview**	Depending on the nature of the disciplinary issue or allegation the IO may wish to interview you to gain your perspective. You will normally have at least two working days' notice of any meeting.
	Notes will be taken at your meeting and you will have the opportunity to review them to ensure they accurately reflect what you said. You would not normally be required to attend any disciplinary hearings.
Be aware of **Data protection** and **Subject Access Request** requirements	Information relating to a disciplinary case should be held in line with the University's Retention Schedule. This includes all electronic correspondence as well as all letters relating to the process and outcomes. Remember that an employee may make a subject access request to see data about their case which will include any emails between you and your HR Case Manager or any other person you raise the case with. Therefore, be prepared that any of your correspondence may be seen by the employee.

Guidance for setting up and hosting meetings and hearings remotely

If you plan to hold a meeting/hearing remotely please read this section in conjunction with other relevant sections of the procedure.

Action	Supporting information
Prepare for the meeting/hearing	Set up the meeting via **Microsoft (MS) Teams**. Information about hosting and joining MS Teams meetings is available here. If the employee does not have access to a PC or MS Teams contact your HR Case Manager to consider alternatives. Make sure you invite all the relevant parties including a note taker. Check if the employee has a **suitable environment** where they can attend the meeting/hearing in private. Be aware that they may normally work in a shared space e.g. if they live in a flat with others. If they don't have a suitable environment liaise with your HR Case Manager to see if there are any alternatives. E.g. could a space be found for them in a designated building on campus for the duration of the meeting (subject to appropriate H&S requirements)? Be aware that attendees may have particular needs in order to participate in the meeting/hearing via MS Teams e.g. if they have a hearing or visual impairment. The employee should let you know if they require any **reasonable adjustments** to take part. Discuss with your HR Case Manager if special arrangements need to be made. Please refer to the Reasonable Adjustments Policy for further information. Advise the employee in advance if you are likely to **deviate from the normal procedural format** e.g. if you will not be giving the outcome of the hearing on the day.
Pre- meeting	You should have a meeting with other panel members/your HR Case Manager prior to your meeting/hearing with the employee. If you hold the pre-meeting directly before the meeting/hearing with the employee, it is best to do this as a **separate meeting.** This ensures that you

	cannot be interrupted or cut short if the employee or companion 'arrive' earlier than expected. Alternatively use the **lobby room** function to allow the employee and companion to join the meeting/hearing when the panel is ready. Information about hosting MS Teams meetings, privacy guidance and lobby areas can be found here.
Establish familiarity with technology	It is possible that the employee may have limited experience of MS Teams meetings. At the start of the meeting/hearing establish how familiar they are with **technical functions**. If they are not familiar, walk them through functions such as how to mute their microphone, raise a hand etc.
Meeting etiquette	If you are chairing the meeting/hearing establish basic rules at the start. These should include: • Everyone should be on mute unless speaking • Raise a hand if need to make a point • The note taker should be off camera after introductions • Everyone else to keep cameras on unless there are connectivity issues • The meeting cannot be recorded either through MS Teams or other devices e.g. mobile phones • If an adjournment is required everyone will leave the meeting and return at an agreed time. Share a **running order/schedule** for the meeting/hearing so that everyone understands when it will be their turn to speak or answer questions. If the **chat function** is to be used, remind everyone that any comments will form part of the record of the meeting/hearing. (Note - this means these comments would be subject to FOI/SARs.)

Progress of meeting/hearing	You may have to **adapt** how the meeting/hearing progresses to take account of the remote circumstances. Agree with the employee at the start if you are likely to deviate from the normal procedural format. e.g. It might feel more appropriate not to adjourn for an unspecified time while you decide the outcome of the hearing and then call the employee back. If all parties are agreeable, you can confirm that the employee will be **notified in writing** within the timescale specified in the policy.

Letters and templates:

(The following templates are available from your HR Case Manager)

1. Suspension confirmation

If you are also Investigating Officer, see Disciplinary Guidance – Investigating Officer