

Dealing with disciplinary, capability and grievance issues effectively

Overview

This highly participative one-day course has been designed to enable participants to manage disciplinary, capability and grievance issues effectively. The emphasis is on the use of a structured approach where positive action and problem solving is highlighted as a priority. Where problems warrant definitive action, emphasis is placed upon ensuring that safe and lawful procedures are followed.

Training objectives

Having attended this event participants will be better able to:

- Appreciate the relevance of statutory and contractual disciplinary and grievance procedures and the ACAS Code of Practice
- Recognise the key management responsibilities involved in carrying out disciplinary and grievance procedures
- Understand the role undertaken by those who are asked to act as companions to their colleagues at hearings
- Use informal approaches effectively and recognise when formal procedures are necessary
- Identify the key skills and processes involved in carrying out disciplinary and grievance procedures

Audience

Managers and HR staff who have defined responsibilities within their organisations' disciplinary and grievance procedures.

Format

This one-day course is based upon a series of short lecture sessions with extensive use of case studies to illustrate problems and develop a best practice approach in dealing with them. Group discussions and feedback are used to develop learning points and enable participants to relate examples to their own situations.

The expert trainer

Lesley is a very experienced HR consultant and an extremely accomplished trainer and facilitator. She began her management career working for Marks & Spencer, and later went on to work for the Industrial Society and for Habitat / Mothercare, before founding her own consultancy in 1983, specialising in advising line managers at all levels on human resource and legal issues. Over the last twenty years she has built an impressive client list, ranging across the public sector (eg, local authorities, police authorities and care organisations) and the not-for-profit sector (eg, professional institutes) as well as businesses in the manufacturing, construction, retailing, financial and business services sectors.

A lay member of the Employment Tribunal, Lesley is an award-winning author, with two books and several hundred articles to her credit. She sits on the editorial board of a well-established HR journal and assists in updating the many loose-leaf legal and management guides she has contributed to over the years.

She is a very popular and accomplished trainer, as shown by the following comments from participants in some of her recent courses:

'Good sound advice, clearly structured and illustrated with 'live' examples so easy to understand.'
Boodle Hatfield

'Excellent course. There was a wealth of useful information which will enable the company to improve its policies and procedures.'
GISDA

'Great course, very helpful. Answered all my questions.'
Gefco UK Ltd

'Good balance of teaching and discussion. Plenty of opportunity to ask questions.'
Merseytravel

Course outline

1 Policies and procedures

This session will be used to outline the legal framework governing disciplinary and grievance procedures. Statutory obligations will be explained, as will the importance of following procedures and behaving fairly and reasonably.

2 Identifying the nature of disciplinary and capability problems

Using case studies, participants will examine disciplinary issues with a view to applying a fair and procedural approach to problem solving. All aspects of dealing with disciplinary problems will be explored.

Topics covered in this session include:

- Identifying the nature of disciplinary problems and the appropriate course of action
- Defining 'capability'
- Defining 'conduct'
- Where absence cases fit in
- 'Borderline' cases
- Using probation periods effectively
- Using informal discipline effectively
- Recognising the need for a more formal approach
- Working with policies and procedures
- Coping with stress, absence and grievance issues in relation to disciplinary matters
- The importance of investigation
- Suspending employees
- Using witnesses and witness statements
- The 'burden of proof'
- The balance of probability

3 Managing disciplinary and capability procedures and hearings

The basic principles of managing disciplinary procedures and hearings will be explained.

Topics covered include:

- The role of the hearing
- The preparatory stage
- Inviting the employee to a hearing
- Ensuring that the employee is able to prepare adequately for the interview
- Structuring the interview to ensure procedural correctness
- Facilitating witness input into interviews
- Making notes of the meeting
- Ensuring co-operation from employees and their companions
- What happens when the employee does not attend the interview
- Imposing sanctions
- Considering mitigating circumstances
- Arranging for follow-up action
- Writing warning letters

- Keeping a record
- The appeal process

4 Dealing with grievances

Using case studies, participants will examine grievance issues with a view to applying a fair and procedural approach to problem-solving.

Topics covered include:

- Statutory obligations in dealing with grievance issues
- What constitutes a grievance?
- Investigating grievances
- Using informal approaches and mediation in solving grievances
- Resolving grievance matters
- Communicating and implementing solutions
- The appeal process

5 Review and close

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