



The Manager's Guide to Discipline

Derek Eccleston and Kate Goschen

October 2008
124 pages
978-0-566-08855-1

216 x 138 mm
Paperback
\$39.95



For most managers, let alone the employees involved, the disciplinary process can be painful and embarrassing. Poor performance tends to be confused with misconduct and consequently carries the stigma of punishment; this despite the fact that most company policies and indeed the ACAS Code (correctly) put emphasis on improving behaviour or performance, rather than punishment.

Derek Eccleston's concise guide provides a clear picture of the purpose and the process of the disciplinary procedure. This toolkit approach contains invaluable information and includes clear checklists and sample letters to help guide managers and supervisors through the minefield of employment rights, explaining what to do and how to do it. Written in a no nonsense way, The Manager's Guide to Discipline is free of legal jargon and focuses on the practical issues throughout. It will help to protect the organisation, whilst ensuring matters are dealt with, not left or brushed under the carpet because of a lack of management confidence.

This essential reference will encourage managers to approach performance and disciplinary problems proactively and with more confidence and will significantly reduce the risk of getting it wrong.

Contents

Introduction; The Basic Requirements. Disciplinary Procedure in Operation: Gross misconduct - suspension from work; Investigation; Informal verbal warning; Formal disciplinary action; Details of the allegation; The right to be accompanied; The disciplinary hearing; The decision; Expired warnings. Appeals; Criminal Offences and Proceedings; Records and Data Protection; Summary Dismissal; Constructive Dismissal; Statutory Guidance. Appendices: Policy A - sample disciplinary procedure; Policy B - sample capability/performance procedure. Sample Letters: Suspension from work; Notification of an investigatory meeting; Confirmation of no action following an investigatory meeting; Notification of a disciplinary hearing; Confirmation of no action following a disciplinary hearing; Formal verbal warning; First written warning; Final written warning; Confirmation of dismissal with notice; Confirmation of summary dismissal for gross misconduct; Notification of a disciplinary appeal hearing; Confirmation of the outcome of a disciplinary appeal hearing. Checklists: Formal or informal warning?; Preparation for a disciplinary hearing; Carrying Out a Disciplinary Hearing; Contents of a formal warning letter; Carrying out an Investigation; Poor Performance Checklist; Qualifying Periods for Unfair Dismissal. Index.

About the Author

Derek Eccleston is an experienced, practical consultant, specializing in the provision of advice and training on employment law and employee relations, through his consultancy Employment Law Training Ltd.

Kate Goschen of HR Remedies is an experienced and qualified consultant with excellent technical employment law knowledge. She prides herself on her practical application having spent the first 10 years of her career in senior HR roles within a number of industries including broadcasting and local government.

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