

DISCIPLINARY POLICY, PROCEDURE AND GUIDANCE

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Designation:	Director of Human Resources and Organisational Development	
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This is the most current document and should be used until a revised version is in place		
First Revision Due:	As above unless legislative changes require	
Target Organisation(s)	Worcestershire Acute Hospitals NHS Trust	
Target Departments	All Wards and Departments	
Target staff categories	All Staff, with the exception of Medical and Dental staff where the issues are subject to the arrangements under Maintaining high professional standards.	

Purpose of this document:

The purpose of this document is to set down the Trust's disciplinary rules and procedures to be followed when standards of conduct give rise to problems which cannot be resolved by advice and encouragement, training or increased support. The Trust is committed to the avoidance of formal disciplinary procedures wherever possible by addressing problems as soon as they arise. This procedure is intended to provide equity, transparency and consistency in the treatment of staff and, to ensure matters are dealt with promptly. This document follows the ACAS Code of Practice, and good practice as laid down in the ACAS Guide on Discipline and Grievances at work.

References:

Code:

Employment Rights Act 1996 as amended	
Employment Act 2002 (Dispute Resolution) Regulations 2004	
ACAS Code of Practice April 2009	
Performance Management Policy 2012	
Dignity at Work Bullying and Harassment Policy 2012	
Conduct, Capability, Ill Health and Appeals Policies and Procedures for Medical and Dental Staff 2012	
Investigation, Analysis, Learning and Change Policy 2012	

Code of Conduct for Employees in respect of Confidentiality 2011	
Code of Conduct for all staff delivering direct clinical patient care who are covered by a professional code of conduct	
Code of Conduct for Managers October 2012	
Code of Conduct for all staff delivering direct clinical patient care who are not covered by a professional code of conduct	
Line Manager Briefing - Undertaking a Conversation of Concern	
NHS Regulations - The duty of candour (regulation 20) and the fit and proper person requirements for directors (regulation 5)	

Key amendments to this Document:

Date	Amendment	By:
Jan 2012	Amendments to revise the panel composition, streamline the process, clarify the disciplinary rules and define dismissing officers.	Debbie Drew for JNCC subgroup
Sept 2012	Adjustment of Stage 2 Final Formal Warning from 2 years to 18 months	Julia Cross for JNCC
March 2013	Revisions of policy to include Case Manager role to improve impartiality of Investigating Manager role	Debbie Drew for JNCC
March 2013	Revisions to the role of Investigating Manager for clarity in relation to the Case Manager role	As above
March 2013	Revisions to the list of dismissing officers to include Clinical Leaders	As above
March 2013	Reference to capability procedure amended to reflect the Performance Management Policy	As above
March 2013	Addition to section 6.5 – additional role for HR to monitor outcomes	As above
March 2013	Amendment to section 7.4.3 – alternatives to suspension to be considered before any suspension applied	As above
March 2013	Amendment to the title - Investigating Officer to Investigating Manager	As above
March 2013	Professional bodies may be contacted in the event of suspension as appropriate	As above
October 2013	Amendment to remove reference to informal process and reference to the managers briefing on conversations of concern	Julia Cross for JNCC
October 14	Amendment to Paragraph 7.2.1 amendment to add the use of recording equipment for investigation meetings	Julia Cross for JNCC
June 2015	Review of the document. This includes the redefinition of the investigating and case manager roles and the application of a fast track process. Also amendments to include reference the new regulatory standards for the Fit & Proper Person Requirements for Executive Directors and their direct reports.	Julia Cross for JNCC
Aug 2017	Document extended for 6 months as per TMC paper approved on 22 nd July 2015`	TMC
Dec	Document extended for 3 months as per TLG	TLG

2017	recommendation	
March 2018	Document extended for 3 months as approved by TLG	TLG
June 2018	Document extended for 3 months as per TLG recommendation	TLG
June 2019	Document extended for 12 months whilst review process takes place	Rachel Morris/Tina Ricketts
Sept 2019	Clarification of the wording in section 3.1 of the policy	Rachel Morris
June 2020	Document extended for 6 months during COVID-19 period	

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1. Introduction

- 1.1 The Worcestershire Acute Hospitals NHS Trust recognises clear disciplinary rules are necessary for promoting good employee relations as well as fairness and consistency in the treatment of individuals.
- 1.2 The Trust recognises the dedication and hard work of its staff and the high quality of service that they provide to our patients. This policy has been developed to ensure that any issues of misconduct are addressed appropriately.
- 1.3 This policy ensures that standards are adhered to and provides a fair, clear and consistent method of dealing with alleged failures of Trust standards. The policy is set against legal duties. It also takes into account the ACAS Code of Practice on Disciplinary and Grievance Procedures (April 2009).
- 1.4 This policy is intended to address issues of conduct. Issues of capability or sickness (where there is no underlying medical condition) should be dealt with under the Performance Management Policy. Sickness absence should be considered under the Sickness Absence Health and Wellbeing Policy.

2. General Principles

- 2.1 The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until a reasonable investigation has been carried out.
 - **Fairness:** The application of this procedure will be consistent, fair, prompt (within timescales defined in the policy), impartial, reasonable and applied without discrimination
 - **Confidentiality:** Information relating to an allegation of misconduct should not be divulged to any parties not involved in the disciplinary process. Statements, letters and other communications will be strictly confidential to those involved in the disciplinary process and records will be kept in accordance with the Data Protection Act 1998.
 - **Natural justice:** Cases should be investigated as thoroughly as is reasonable in the circumstances. At every stage of the disciplinary procedure, the employee will be advised of the nature of the complaint, in writing and will be given the opportunity to state his/her case. Where a warning is given, the employee will be provided with appropriate support to improve his/her conduct.
 - **Equal opportunities:** This policy will be applied without any distinction as to sex or gender assignment, age, sexual orientation, marriage and civil partnership status, race, ethnic or national origin, colour, creed, disability, religion or belief, political belief, membership of or activities as part of a trade union.
 - **Representation:** The employee has the right to be accompanied by a work colleague or trade union representative at every stage of the formal procedure.

3.0 Scope of the Policy

- 3.1 The Trust's Disciplinary Policy applies to all employees, with the exception of Medical and Dental staff where the issues are subject to the arrangements under Maintaining high professional standards.
- 3.2 Issues concerning the conduct of medical and dental staff, personal or professional, will be handled in accordance with the Conduct, Capability, Ill Health and Appeals Procedure for Medical and Dental Staff.
- 3.3 Midwifery Supervision should be considered for issues concerning midwifery clinical practice.
- 3.4 Professional healthcare staff are responsible for complying with the relevant standards set by their regulatory or professional bodies e.g. for nurses and midwives, the NMC Code of Professional Conduct. Managers of the Trust must adhere to the Code of Conduct for Managers. For all employees delivering direct clinical patient care who are not covered by a Professional body they must adhere to the Trust's Code of Conduct. Concerns about potential breaches of these Codes will be investigated within the scope of this Policy.
- 3.5 The Trust has an obligation to notify Professional Bodies of misconduct that has resulted in disciplinary action.

4. Policy Statement

- 4.1 Effective use of appraisal (Personal Development Review) should prevent the need for minor issues to be handled in accordance with this policy.
- 4.2 The spirit of this policy is to ensure that a fair and common sense approach is adopted by managers and that all reasonable steps are taken to resolve alleged failures of Trust standards before invoking the formal disciplinary procedure(s).
- 4.3 Disciplinary procedures should not be viewed as a means of imposing sanctions. The primary aim is to encourage improvement amongst employees whose professional or personal conduct is unsatisfactory.
- 4.4 No disciplinary action will be taken against an employee without a reasonable and prompt investigation.
- 4.5 The employee will be advised before any disciplinary meeting, of the nature of the complaint/allegation against him/her and will be given the opportunity to state his or her case before a decision is made.
- 4.6 At all formal stages of the procedure the employee will have the right to be accompanied by an Accredited Trade Union Representative or work colleague.
- 4.7 No employee will be dismissed for a first breach of discipline except in the case of gross misconduct when the penalty if proven will normally be dismissal without notice.

- 4.8 The procedure may be applied at any stage if the employee's alleged misconduct warrants such action.
- 4.9 An employee will have the right to appeal against any disciplinary action.
- 4.10 Human Resources advice will be available to ensure fair and consistent application of this procedure. Managers should seek Human Resources advice at the earliest opportunity.
- 4.11 All parties involved must treat any disciplinary matter with absolute confidentiality.

Fit and Proper Persons Requirements

- 4.12 This policy supports the introduction of the new regulatory standards for the Fit & Proper Person Requirements of Directors, and their reports which came into force for all NHS bodies from 27 November 2014, in response to the Francis Report, and integrated into Care Quality Commission registration requirements.

Guidance issued by the Care Quality Commission emphasises the importance of the Fit and Proper Person Requirements in ensuring the accountability of Directors, and their direct reports, of NHS bodies. NHS bodies have a responsibility to ensure the Requirements are met with the Care Quality Commission's role being to monitor and assess how well this responsibility is discharged.

The Trust is responsible for ensuring the continued "fitness" of those persons to whom the Requirements apply. It is intended this requirement will be fulfilled through a number of processes including the application of this policy.

If the Trust discovers information that suggests an individual Director is not of good character after they have been appointed to a role, the Trust will take appropriate and timely action to investigate the matter, and based on the findings take appropriate action in line with the process outlined in this policy.

5 Responsibility and Duties

- 5.1 Overall responsibility for this Policy rests with the Trust Board. Operational responsibilities are delegated as follows:

5.2 Executive Directors

The lead Executive Director for this Policy will be the Director of Human Resources and Organisational Development. In addition, all Executive Directors will be responsible for ensuring that:

- All employees are informed of the terms of the policy and the procedures that apply to them
- The policy is implemented and operated effectively
- Managerial action is fair and equitable and is monitored effectively

5.3 Managers and Supervisors

Managers and Supervisors carry responsibility for effectively and fairly implementing and operating this policy within their department. In addition all managers will be responsible for ensuring that:

- All staff are aware of their responsibilities in relation to the Disciplinary Policy
- Employees are informed of the required standards of work and personal conduct
- Employees are kept informed of their progress in meeting the required standards
- Employees are given adequate training to equip them to carry out their duties through the use of the appraisal (PDR) scheme and personal development plans

5.4 Employee Responsibilities

All employees are expected to meet the required Trust standards of conduct and disciplinary rules. Any breach of this policy may lead to disciplinary action.

Employees are expected to participate in any investigations or subsequent hearings as required by management.

If an employee has provided a statement, should the matter proceed to a Disciplinary Hearing they will be expected to attend the hearing. Staff are advised to seek advice from their trade union representative before providing a statement.

5.5 The Role of Human Resources

The Human Resources Department is a source of advice and guidance on the interpretation and application of the Disciplinary Policy and Procedure.

Human Resources team members are available to support managers with investigations.

A Human Resources representative will be present at disciplinary hearings and appeals to monitor and advise on consistency of outcomes of disciplinary matters.

5.6 The role of Accredited Trade Union Representatives

Accredited Trade Union Representatives are available to support and represent individuals that are members of a union and have paid the appropriate subscription. They should receive all relevant documentation at least 10 working days prior to any hearing to enable them to prepare. They should also be allowed reasonable time off (in accordance with the Recognition Agreement) to attend and prepare for these meetings, hearings or appeals.

An Accredited Trade Union Representative should be present at Disciplinary and Appeal Hearings where requested by the employee.

6.0 Equality requirements

An Equality Impact Assessment has been undertaken in accordance with Trust policy and attached at Appendix 6.

7.0 Policy Detail

7.1 Timescales

7.1.1 It is in the interests of all parties that disciplinary matters should be resolved as soon as possible. The time-scales detailed within the policy are the maximum length of time that should be taken at each stage of the procedure under normal circumstances. There may, however, be circumstances, which necessitate an extension to these time-scales in order to conduct a thorough investigation into circumstances which may lead to disciplinary action. Where it foreseen that an agreed timescale will not be met, a short extension may be agreed, with the input of the Case Manager. The employee will be kept fully informed of the delays in the process.

7.1.2 Unless there are clear and overwhelming reasons to the contrary an employee will be expected to make themselves available for meetings or a hearing. If the employee is unwilling to attend meetings or hearings they will proceed in their absence. Where the employee is unwell the hearing may be rearranged once but will then proceed in their absence. Occupational Health advice may be sought at the request of either party.

7.1.3 Individual employees have the right to be accompanied at disciplinary and grievance hearings in line with the Employment Relations Act 1999 (“ERA”).

The Trust recognises that individuals may also wish to be accompanied at investigatory meetings by a trade union representative or a work colleague. It is recognised that employees and their representatives may not always be available at the times suggested by management for meetings. Where the representative is not available to attend such a meeting this will be rearranged as soon as is reasonably practicable at a mutually convenient time. However the Trust reserves the right to rearrange within five working days of the original date, in line with the ACAS Guide for Disciplinary and Grievances. If the chosen representative is not available, then an alternative representative may be chosen or the individual attends unsupported. This is to ensure that the investigation is not unreasonably delayed.

Where an employee and their representative have not been able to attend due to circumstances beyond their control e.g. illness, another date may be arranged; this again should be within the timescales referred to above.

7.1.4 The investigation should be undertaken without any delay and should be concluded within a maximum of 12 weeks, but it could be less depending on the complexity of the case and the number of witnesses to be accessed. If for any reason this is not possible, the Case Manager should review the proposed delay and agree to an extension. Once agreed they will ensure that all parties concerned are aware of the reason for delay and kept informed of progress.

7.2 Documentation

7.2.1 The Investigation:

It is essential that an accurate record of the investigation meetings is obtained. The best way to achieve accuracy is to record meetings using audio-equipment and this will normally be the standard practice, although notes may be taken in some circumstances.

The recordings will be managed in line with the Data Protection Act. The notes will be transcribed and shared with the individual employee. These notes will serve as the record of the evidence given by the witness.

In the event that there is an issue with the transcription of the meeting the individual, with their representative, will be entitled to listen to the recording, which will be made available on the Trust premises at a mutually convenient time.

The recording will be retained until the completion of the investigation process and any subsequent hearings, including appeals. After which time recordings will be destroyed in line with the Data Protection principles.

7.2.2 At Stage 1 - 3 of the Disciplinary Procedure: Case files should be kept detailing the nature of any breach of disciplinary rules, the employee's response or mitigation, the actions taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments. The employee and their representative (where applicable) should receive copies of relevant statements and documentation 10 working days prior to a disciplinary hearing. Notes should be taken of the disciplinary hearing, the outcome confirmed in writing to the employee, and a copy retained on the personal file. All documents used in a disciplinary hearing should be sealed in an envelope and retained on the employee's personal file.

These will be removed in the appropriate timescale associated with the length of the warning.

7.3 Confidentiality

7.3.1 All documentation should be kept confidential and retained in accordance with the Disciplinary Policy and the Data Protection Act 1998, which requires the release of certain data to individuals on their request. Certain information may be withheld, for example to protect a vulnerable witness.

7.4 Suspension

7.4.1 Suspension is not a disciplinary sanction nor does it prejudice the outcome of the investigation or any subsequent disciplinary action. An employee will normally be suspended from duty on **full pay** except where the individual is in contravention of professional registration requirements (see Trust's Professional Registration policy) or where they are not available for work (e.g.

in legal custody). Suspension should be carried out by a senior person with delegated authority supported, where possible, by a Human Resources representative. This suspension should be carried out in person.

7.4.2 At the point of suspension, where practicable, every effort should be made by the manager to seek the availability of an accredited Trade Union representative. If, however, a representative is not available, the process of suspension should not be delayed. The Head of Human Resources should be advised of the suspension at the earliest opportunity.

7.4.3 Suspension should only take place after careful consideration and should only be considered in the following circumstances, where alternatives such as restricted duties, move to another location are inappropriate:

- To facilitate a full and proper investigation into an incident that might be considered gross misconduct

and

- the employee's continued presence at work constitutes a serious risk to patients, themselves, other employees of the Trust or Trust property
- Where the employee is under charge or suspicion of a criminal offence which significantly affects their status, role or responsibilities within the Trust
- Where there are reasonable grounds for concern that evidence will be tampered with, destroyed or witnesses pressurised before the hearing/meeting.

7.4.4 In respect of Medical and Dental staff, any exclusion will be in accordance with the Trust's Conduct, Capability, Ill Health and Appeals Procedure for Medical and Dental Staff.

7.4.5 Wherever possible, suspension will be confirmed in writing on the day and shall specify the exact nature of the alleged offence, the reasons for suspension, the name of the Investigating Manager and the conditions under which the suspension shall continue. If it is not possible to confirm the suspension in writing on the same day, this must be done within 2 working days of the suspension taking place. The suspending manager should ensure that the employee's correct postal address is confirmed with them prior to them leaving the Trust's premises. (A template letter can be found at Appendix 1).

7.4.6 Conditions of Suspension

- The employee will be informed that they should leave the Trust's premises and not return without prior approval, or at the direct request of management. Employees may attend for treatment, or as a visitor to patients, to liaise with their accredited Trade Union Representative, or to attend Occupational Health appointments, with prior notification.
- Any breach of these conditions may constitute a disciplinary offence.
- During the period of suspension the employee should be available to contact if necessary, and should make themselves available for any meetings or occupational health appointments during normal working

hours.

- Consideration should be given as to whether the employee would benefit from an occupational health referral
- The employee will be advised that they may contact their accredited Trade Union Representative during the period of suspension.
- If the period of suspension coincides with the employee's planned holiday arrangements, permission to take annual leave will be mutually agreed with the appropriate line manager. Prior arrangements for holidays will be honoured. The employee will continue to accrue annual leave whilst suspended.
- Suspended employees should not undertake paid work for the Trust, or another employer during the hours they would normally be contracted to work.
- The Trust reserves the right to inform other employers or the Professional Body of the suspension where patients may be at risk
- Employees who hold more than one post with the Trust will be suspended from all posts for the period of suspension.
- If an employee falls sick during their suspension they are required to provide sick notes in line with the Trust's Sickness Absence Health and Wellbeing Policy.
- The suspension must be reviewed monthly until the investigation is complete. This will include an assessment as to whether the suspension should continue or if an alternative arrangement can be implemented. This should be documented and communicated to the employee promptly. Where the investigation process is delayed beyond the 12 week timescale and the suspension continues this will be escalated to the Case Manager.

7.5 Accredited Trade Union Representatives

Where an accredited TU Representative may be subject to disciplinary action, their Full Time Officer must be notified immediately by the appropriate Head of Human Resources.

7.6 The role of the Case Manager

7.6.1 A Case Manager will be assigned to each investigation.

The role of the Case Manager is to:

- Appoint the Investigating Manager if required
- If so determine what needs to be investigated

- Set the terms of reference for the investigation, defining the allegations that require investigation
- Ensure that adequate time is allocated for the investigation, including administrative support for the Investigation Manager and determine the time scale for completion
- Complete and sign the contract agreements between the investigation parties setting out the expectations of all parties and the agreed timescale for completion
- Monitor progress with the completion of the investigation to ensure that the timescales are met for completion of the investigation
- Receive the investigation report from the Investigating Manager and review the content
- Determine if there is a case to answer and confirm decision in writing

7.7 The role of the Investigating Manager

7.7.1 The investigation should be undertaken in a fair and reasonable manner and the Investigating Manager should not have been previously involved in the alleged incident and should be suitably senior, depending on the issue under consideration and the circumstances, and suitably trained and /or have previous experience. The level of investigation should allow for speedy resolution to the matter whilst ensuring that it is reasonable in the circumstances.

7.7.2 The Investigating Manager should be objective and impartial and have the capacity to complete the investigation in a timely fashion in line with the timescales set out above and should either have attended the Trust's training course and /or have previous investigatory experience, and be accompanied by a human resources representative.

7.7.3 The key role of the Investigating Manager is:

- To establish the facts of the case and collate all the facts relating to the incident, including obtaining written statements from relevant witnesses that were involved including the subject of the investigation.
- To meet with the employee concerned to establish their recollection of events
- To review all the evidence and prepare a report of the evidence.
- To undertake any further investigation as necessary to address any inconsistencies
- To submit the investigatory report and all witness statements to the Case Manager as soon as possible based on the findings of the investigation
- To present the evidence in person at the hearing
- It is not for the Investigating Manager to determine whether there is a case to answer or if the allegations are proven

7.7.4 Patient Complaints

7.7.1 Managers are responsible for investigating patient complaints. If a Manager, as part of the patient complaint, identifies that there is an issue relating to the capability or the conduct of a member or members of their staff, this may be investigated under the Disciplinary Policy and Procedure.

7.7.2 In such circumstances the Manager investigating the complaint would appoint a further person who would investigate the disciplinary issues, giving to this disciplinary investigating manager any notes or statements which may have already been collected.

7.7.3 An independent disciplinary investigation into the identified staff would commence. This will require investigating the member(s) of staff in accordance with the standards required by the Disciplinary Procedure and Policy.

7.7.4 The complainant will be advised of the application of the disciplinary policy and procedure by the manager conducting the investigation into the complaint. The complainant will also be informed of the name of the manager conducting the disciplinary investigation, and that the complainant could be asked to attend the Trust for the purpose of the disciplinary policy and procedure and may be asked to submit a statement. It would not be appropriate for the patient to attend a hearing.

7.8 Case Review

A review of the case will be undertaken by the Case Manager to determine the classification of the misconduct.

The outcome of this will be FOUR potential outcomes from a case review as follows:

	OUTCOME	DEFINITION
1	No case to answer	The allegations cannot be substantiated
2.	Conversation of concern	<p>An informal approach may be appropriate for cases of minor misconduct. A meeting would be arranged make the employee aware of the areas causing concern and of the standards required.</p> <p>It will attempt to find out if there are reasons for the employee's attitude or behaviour with which she/he can be helped.</p> <p>Consideration will be given to such things as personal problems, health and environment. The meeting may identify that further advice, support or coaching or where an employee is failing to meet acceptable standards of general conduct.</p> <p>This meeting would be undertaken by the member of staff's immediate manager to have this discussion. Wherever possible this will be done on a one-to-one basis, although it is recognised that there may be circumstances where the presence of a staff side representative/HR representative may be helpful.</p>

		Reference should be made to the managers briefing note on undertaking conversations of concern. This is available on the intranet for reference.
3	A disciplinary meeting	<p>It is recognised that there are occasions where staff identify that their own behaviour and action was not in line with normal practices/expectations.</p> <p>Where staff accept responsibility for their actions and acknowledge that the behaviour or conduct should not be repeated they can choose to take the fast track disciplinary process.</p> <p>Staff may choose to follow the fast track disciplinary process where a disciplinary warning (up to, and including, a stage 2 final written warning is given to an employee.</p> <p>This will only be appropriate where the employee has taken full responsibility for their actions and accepted the allegations against them.</p> <p>The purpose is to enable a faster resolution and conclusion to a disciplinary matter for the employee.</p> <p>It is a less formal meeting than a disciplinary hearing consisting of the case manager, HR representative, the employee and their representative (where applicable).</p> <p>Full details of the Fast Track Procedure are attached as Appendix 6.</p> <p>This procedure cannot be used for gross misconduct issues</p>
4	Formal Disciplinary Hearing	Where the investigation indicates that a hearing is required to consider the facts to determine the appropriate sanction, or where the employee specifically requests a formal hearing to take place and/or disputes the findings of the investigation, or gross misconduct is indicated a formal hearing will be convened.

7.9 Formal Disciplinary Hearings

7.9.1 The purpose of a Disciplinary Hearing is to determine the facts and to enable a Panel to decide the outcome and, as appropriate, what level of disciplinary action is required. Appendix 4 outlines the procedure to be followed.

7.9.2 The case will be heard by a panel comprising the appropriate Manager (Chair) and a senior representative of the HR department. The Chair may also seek the involvement of an internal or external advisor where, for example, the case

involves technical or professional issues. The Chair of the panel will set up the Disciplinary Hearing.

7.9.3 The panel should not have had any previous direct involvement in the case.

7.9.4 If a disciplinary hearing is necessary the employee and their representative will be notified and receive the management case **at least 10 working days** prior to the hearing which will include:

- The precise nature of the allegation(s)
- Copies of all written documentation which will be relied upon at the hearing (including the Investigating Manager (and Case Manager's case as necessary) and the Management Statement of Case)
- The date, time and venue of the hearing
- The name and designation of the panel members who will conduct the hearing
- The name and role of person presenting management case (Case Manager) and Human Resources Representative as appropriate if required.
- The name of the Investigating Manager who will be attending as a witness
- The names of any other witnesses who will be called

7.9.5 It is the individual's responsibility to inform the Investigating Manager if they intend to be represented. This enables copies of the case to be sent to the representative to enable them to prepare the case.

7.9.6 Where there is good reason (e.g. sickness) a Disciplinary hearing may be rearranged once, normally within 5 working days in line with the ACAS code of practice.

7.9.9 Where an employee fails to attend a disciplinary hearing without good reason (or where it has already been rearranged once) the case may be heard in their absence. In these circumstances, the employee will be afforded the opportunity for their accredited Trade Union representative or colleague to present a case on their behalf (with their written consent), or for a written submission to be considered.

7.10 Use of Witnesses

7.10.1 Where either party wish to call witnesses, the panel must be advised of their names prior to the disciplinary hearing and a statement should be provided

7.10.2 The panel **must be advised** prior to the hearing, if a written statement has been submitted without a witness being in attendance. The other party must also be informed at the same time.

7.10.3 Witnesses whose statements are put forward as part of a case will be expected to attend disciplinary hearings to give evidence except in the following circumstances:

- There is agreement by both parties that the witness will not be required to attend the disciplinary hearing e.g. if the individual has admitted the allegation. Where agreement is not reached, the final decision will be

made by the Panel. In any case, the Panel may decide at any time to request that a witness attends the hearing if they believe that they are a key witness to the case.

- A witness is unable to attend the disciplinary hearing for good reason (in these circumstances the Panel will have discretion as to whether or not the written statement may be submitted as part of the case).
- The statement is provided by a patient/member of the public who cannot be required to attend the hearing. Where such statements are submitted they must be anonymous.
- If a complaint has been raised under the Whistleblowing Policy (a Public Interest Disclosure) the witness (whistle blower) may be afforded anonymity

7.10.4 In cases where a witness feels undue anxiety, a representative or colleague may accompany the witness. This is purely for support and they may not speak or pass messages during the hearing.

7.10.5 Disciplinary action will be taken against any witness who is considered to have supplied a statement with malicious intent.

7.11 The Decision Making Process

7.11.1 When deciding whether disciplinary action is appropriate and what form it should take it is important to bear in mind the need to act reasonably in all circumstances. Factors which might be relevant include, the extent to which the standards have been breached, precedent, the employee's general record, position, length of service, recognition by the employee of their shortfalls, and any mitigating circumstances which might make it appropriate to adjust the severity of the penalty.

7.11.2 Serious consideration must be given to relevant mitigation put forward by the employee. Any disciplinary action taken should reflect a balanced, reasoned response to the act(s) of misconduct in the light of evidence presented.

7.11.3 The Panel is obliged to take into account the employee's previous conduct and should not normally take into account warnings which have lapsed.

7.11.4 There may be occasions where an employee's conduct is satisfactory throughout the period the warning is in force, only to lapse very soon thereafter. Where a pattern emerges the employee's spent disciplinary record may be borne in mind but this will be on a case by case basis.

7.12 Stage 1 - Written Warning

7.12.1 A written warning is given at a Disciplinary Hearing when a member of staff has committed a minor/persistent offence or fails to improve their conduct.

7.12.2 The Panel should:

- Ensure that the employee is personally advised of the reason for the warning and that it constitutes the first step of the formal disciplinary procedure
- Inform the employee that if they fail to achieve the required standard or if there is a recurrence of the same or similar breach of discipline, then further action will follow
- State the length of time the warning will remain in force
- Give a date for review
- Consider any appropriate support which will enable the employee to achieve the required standards e.g. mentoring
- Inform the employee of their right of appeal

7.12.3 The written warning should be confirmed in writing to the employee **within 5 working days** of the Disciplinary Hearing.

7.12.4 The employee has a right of appeal against the written warning **within 15 working days** of the Disciplinary Hearing.

7.12.5 A written warning will remain effective for **12 months**. Any recurrence of the same or similar offence occurring within this period may lead to further disciplinary action being taken.

7.12.6 After 12 months the written warning is regarded as spent, will be removed from the personal file, and will not normally be referred to in any subsequent disciplinary hearing(s).

7.12.7 There may be occasions where an employee's conduct is satisfactory throughout the period the warning is in force, only to lapse very soon thereafter. Where a pattern emerges the employee's spent disciplinary record can be borne in mind in deciding how long any warning should last.

7.13 Stage 2 - Final Written Warning

7.13.1 A final warning is given when unsatisfactory conduct persists or a further offence occurs when a Written Warning is already in place; or where an offence is committed that is not deemed so serious as to warrant dismissal, or where mitigation has been taken into account for a serious offence.

7.13.2 If disciplinary action is appropriate, the Panel should:

- Ensure that the employee is advised of the reasons for the warning and that it constitutes the second step of the formal disciplinary procedure
- Refer to any previous warnings which are still in force
- Inform the employee that if they fail to achieve the required standard or if there is a recurrence of the same or similar breach of discipline, then further action will follow which is likely to be dismissal
- Confirm the length of time the warning will remain in force
- Consider any appropriate support which will enable the employee to achieve the required standards e.g. mentoring
- Inform the employee of their right of appeal

7.13.3 The final warning should be confirmed in writing to the employee **within 5 working days** of the Disciplinary Hearing.

7.13.4 The employee has a right of appeal against the final warning **within 15 working days** of the Disciplinary Hearing.

7.13.5 A final warning will remain effective for **18 months**. Any recurrence of the same or similar offence occurring during this period may lead to further disciplinary action being taken.

7.13.6 After 18 months the final warning is regarded as spent and will not normally be referred to in any subsequent disciplinary hearing(s). Spent warnings will be removed from the employee's personal file.

7.13.7 There may be occasions where an employee's conduct is satisfactory throughout the period the warning is in force, only to lapse very soon thereafter. Where a pattern emerges the employee's spent disciplinary record can be borne in mind in deciding how long any warning should last.

7.14 Stage 3 – Dismissal

7.14.1 A decision to dismiss can only be taken by an approved Dismissing Officer (see Appendix 2) at a formal Disciplinary Hearing.

7.14.2 Dismissal may occur when an employee's unsatisfactory conduct persists/ or where a further offence occurs and a previous warning remains active, or when an act of gross misconduct is committed.

7.14.3 There are two types of dismissal:

- a) Where an employee has failed to respond adequately to a previous warning(s) **(in this case dismissal is effective immediately and is with payment in lieu of notice)**
- b) Where an employee has committed an act so serious that the trust and confidence in the employee is broken. In such circumstances the actions of the employee would be termed '**gross misconduct**' and the **dismissal would be 'summary dismissal'** i.e. immediate dismissal without notice or payment in lieu.

7.14.4 The dismissal decision should normally be personally conveyed to the employee, and should also be confirmed in writing **within 5 working days** of the Disciplinary Hearing.

7.14.5 The Dismissing Officer must ensure that the following is included in the dismissal letter:

- The reasons for the dismissal
- The date on which the contract between the parties terminated
- Any details i.e. pay in lieu of notice, outstanding annual leave
- Information on the right of appeal

7.14.6 The employee has a right of appeal against dismissal and if they choose to exercise this right they should write to the Director of Human Resources and Organisational Development **within 15 working days** of the Disciplinary Hearing.

7.15 Gross Misconduct

7.16.1 Some acts are so serious in themselves, or have such serious consequences that they may call for a dismissal on the first offence. This is termed gross misconduct. Any dismissal for gross misconduct will take immediate effect once the decision has been made at a Disciplinary Hearing, and the employee will **not** be entitled to paid notice of termination of their contract.

7.15.2 Examples of gross misconduct which may result in dismissal are included in the Disciplinary Rules which are attached as Appendix 3. This list is not exhaustive.

7.16 Appeals

7.16.1 The purpose of an Appeal Hearing is to determine whether the disciplinary action **is appropriate and reasonable in all circumstances**.

7.16.2 The appeal hearing is a not a re-run of the disciplinary hearing and witnesses will not normally be called. Verbal evidence will normally only be heard from the employee, their representative and the manager who chaired the Disciplinary Hearing.

7.16.3 All documentary evidence from the Disciplinary Hearing, along with a **written statement of case** from both parties: the employee setting out the grounds for appeal; and the manager setting out the reason for their decision and their response to the grounds of appeal, will be exchanged prior to the appeal hearing.

7.16.4 The employee must be specific about the grounds of the appeal. These will effectively form the agenda for the hearing and determine the parties to be present at the appeal hearing. Appeals may be raised on a number of grounds, including;

- the procedure: a failure to follow procedure,
- the decision – the evidence did not support the conclusion reached,
- the penalty – this was too severe given the circumstances of the case
- inconsistency of the penalty, or
- new evidence – which has genuinely come to light since the Disciplinary Hearing.

7.16.5 The decision of the Appeal Panel will be one of two options:

- either that the original decision is upheld
- or that an alternative sanction is applied

- 7.16.6** To lodge an appeal against **Stages 1 and 2** the employee must write to the next in line manager **within 15 working days** of the Disciplinary Hearing stating upon what grounds the appeal is based. Appeals against formal warnings **Stages 1 and 2** will be heard by the next in line manager (i.e. someone more senior than the Disciplining Manager) and a senior Human Resources representative.
- 7.16.8** To lodge an appeal against **Stage 3 (Dismissal)** the employee must write to the Director of Human Resources and Organisational Development **within 15 working days** of the disciplinary hearing. Appeals against **Dismissal** will be heard by a Panel comprising at least one Director and a Senior Manager. A Senior Human Resources representative will normally be present to provide appropriate advice to the Panel. No Panel member should have had any direct involvement in the case.
- 7.16.10** Arrangements for the hearing, including the date, time and location will be notified to all parties. The hearing will take place normally within **5 weeks** of the employee lodging the appeal. The employee, and their accredited representative will be given at least **10 working days** notice of the hearing.
- 7.16.11** Written statements of case will be exchanged (via the Human Resources Department) at least **5 working days** prior to the appeal hearing.

8. Financial risk assessment

There are no direct financial risks associated with the policy

9 Consultation

The policy has been developed by a sub-group of the Joint Negotiating and Consultative Committee and has been subject to consultation with staff representatives.

10 Approval process

The policy has been approved by the Joint Negotiating and Consultative Committee

11 Implementation arrangements

The policy will be implemented immediately upon approval.

12 Dissemination process

The policy will be placed in the Trust's HR Document library on the Intranet and will be publicised through Trust update, policy update briefings for managers and notified to the Trust Board by the Workforce and Organisational Development Group.

13 Training and awareness

- 13.1** Awareness of this Policy will be raised throughout the Trust. It will be included in all Induction training and will also form an integral part of Management Development training.
- 13.3** Specific training will be provided for those managers who will be required to undertake formal investigations.

14. Monitoring and compliance

- 14.2** Actions taken under this Policy will be monitored in terms of equal opportunities by the HR Department.

An overview of casework will be provided to the Workforce and Organisational Development Group (WODG) at least 4 times a year.

15 Development of the Policy

This policy will be reviewed after 2 years, or earlier in the light of any legislative changes, developments in best employment practice, to ensure its continuing relevance and effectiveness.

16. Appendices

Appendix 1

Date

Private & Confidential
Addressee Only
Sent Recorded Delivery
[Name]
[Address]

Dear [Name]

I am writing to confirm following today's meeting that you are suspended from duty on full pay until further notice and with immediate effect. Present at the meeting was [name], Accredited Trade Union representative / colleague. I was supported by [name], Human Resources Officer / Manager.

The suspension from duty should not be regarded as disciplinary action, is without prejudice and is intended to facilitate a full and proper investigation.

The allegation(s) are [insert allegation(s)]

These allegations will be investigated in line with the Trust's Disciplinary Policy, a copy of which is attached for your information. [Name], [Title] will be investigating this matter and a representative from Human Resources will assist. You will be invited to a meeting to establish the facts and you will be entitled to be accompanied at this meeting by an Accredited Trade Union representative or work colleague. You should be available to attend such meetings at all times when you would normally be required to work.

Your suspension will be reviewed monthly but I should advise you that it might continue until the investigation is complete at which time I will contact you again.

As a result of the investigation you may be required to attend a disciplinary hearing in accordance with the Trust's Disciplinary Policy.

Whilst you are suspended you should not return to the [site name] or any of the Trust's premises without my permission, unless there are exceptional circumstances. You should not contact any member of staff employed by the Trust concerning this matter during the period of your suspension without having obtained prior authorisation from [names and contact details].

If you have any other employment within or outside the Trust you are not permitted to undertake this work during the hours that you would normally have been working for the Trust and for which we are paying you.

If you become unwell you will be required to provide medical notes in line with the Trust's Sickness Absence Policy. I appreciate that this situation can be difficult and therefore have contacted Occupational Health to offer you support. If there is any other support that you require during this time please do not hesitate in contacting me.

[Make reference to whether the individual was given the opportunity to collect any personal belongings.]

In the meantime, I would suggest that you prepare a statement relating to the above allegations while it is fresh in your mind, and I would suggest that you share this with your accredited Trade Union representative so that they can fully support you.

Yours sincerely

[Name]

[Title of Suspending Officer]

cc Accredited Trade Union Representative, if appropriate
HR Officer / Manager

Enclosure

Appendix 2

LIST OF DISMISSING OFFICERS

The following post holders will have the authority to dismiss:

- Executive Directors
- Divisional Medical Directors
- Divisional Medical Directors
- Clinical Directors
- Directorate Managers
- Matrons
- Departmental Heads of Service

Appendix 3**DISCIPLINARY RULES**

The following acts of misconduct will normally result in a formal warning which may be issued at a Disciplinary Hearing:

- minor misconduct
- timekeeping
- absence
- minor health and safety issues
- unauthorised personal use of organisation facilities, such as telephones email and/or internet, or other equipment
- personal appearance
- minor dignity at work issues

Gross Misconduct

Some acts termed gross misconduct are so serious in themselves or have such serious consequences that they may call for a dismissal on the first offence.

Any dismissal for gross misconduct will take immediate effect once the decision has been made and the employee will be entitled to no notice period regarding the termination of his/her employment. Below is a list of some examples of gross misconduct which may result in dismissal. This list is not exclusive or exhaustive.

- serious or gross negligence resulting in unacceptable loss, damage or injury
- intentional serious breach of Trust policy or regulations or improper conduct in relation to job responsibilities
- bringing the Trust into serious disrepute
- serious breach of Trust Dignity at Work policy (unlawful discrimination, harassment or bullying)
- theft, fraud or deliberate falsification of records or Trust documents
- fighting, assault or attempted assault of a physical or sexual nature
- malicious damage to Trust property
- deliberate refusal to comply with reasonable instructions or requests made by a line manager within the work place
- a breach of health and safety rules which places a member of staff or others in danger
- intentional misuse of confidential information
- fraudulent or serious misuse of the Trust property or name
- unauthorized entry to computer records or inappropriate use of Trust data or equipment.
- deliberately accessing internet sites or telephone services containing pornographic, offensive or obscene material
- serious insubordination
- serious incapability at work brought on by alcohol or illegal drugs
- ill treatment or harm of a patient

Conviction or being charged with a criminal offence outside the workplace and normal working hours may be deemed as misconduct or gross misconduct depending on the nature of the offence, sentence incurred, effect of the charge on the employee's suitability to do the job, relationship with colleagues, or the reputation of the Trust.

Appendix 4**Procedure at Disciplinary Hearing**

At the disciplinary hearing, it is suggested that the following procedure be observed:

- The Chair of the panel explains to the employee and their representative (as appropriate) the purpose of the hearing. They will carry out introductions, identifying the role of each person, and explain the format of the hearing.
- The Case manager (or Investigating Manager (presenting the management case) will be invited to state the allegation(s) against the employee and the facts revealed by the investigation, and call any witnesses including the Investigating Manager
- The employee or his/her representative and members of the panel shall be entitled to question any witnesses called.
- The Case Manager/ Investigating Manager or HR representative may re-examine the witnesses on any matters referred to in their examination by members of the panel or by the employee or his/her representative.
- The employee or his/her representative and members of the Panel shall be entitled to question the Case Manager/ Investigating Manager or HR representative.
- The employee or his/her representative will be invited to state his/her case and call any witnesses.
- The Case Manager/ Investigating Manager or HR representative and members of the panel shall be entitled to question any witnesses called.
- The employee or his/her representative may re-examine the witnesses on any matters referred to in their examination by members of the panel or by the manager or HR representative.
- The Case Manager/ Investigating Manager or HR representative and members of the Panel shall be entitled to question the employee or his/her representative.
- The Case Manager /Investigating Manager or HR representative shall be asked to sum up. No new evidence can be introduced when summing up.
- The employee or his/her representative shall be asked to sum up. No new evidence can be introduced when summing up.
- Either party may request an adjournment at any time during the hearing with no detriment. Both parties shall withdraw during any adjournment.
- The panel may at their discretion adjourn the hearing in order that either party may produce further evidence.

The panel will adjourn to deliberate and will re-call the Case Manager/ Investigating Manager employee and their representatives to give the outcome of the hearing.

Appendix 5**Procedure at Appeal Hearing**

At the Appeals Hearing, it is suggested that the following procedure be observed:

- The Chair of the panel explains to the employee and their representative (as appropriate) the purpose of the hearing. They will carry out introductions, identifying the role of each person, and explain the format of the hearing. It will be stated that the appeal is not a re-run of the Disciplinary Hearing.
- The employee or his/her representative will be invited to state their grounds of appeal and call any witnesses
- The manager or HR representative may question the employee's witnesses, as may the Panel Hearing the Appeal
- The employee or his/her representative shall have the opportunity to re-examine the witnesses if necessary on any matters referred to in their examination.
- The manager or HR representative and members of the Panel shall be entitled to question the employee or his/her representative.
- The Manager will be invited to present the management response to the appeal, and call witnesses if appropriate
- The employee or his/her representative may question the management's witnesses, as may the Panel.
- The Manager shall have the opportunity to re-examine the witnesses, if necessary, on any matters referred to in their examination.
- The employee or his/her representative and members of the Panel shall be entitled to question the manager or his/her representative.
- The Manager should sum up his/her case ensuring that no new evidence is introduced.
- The employee or his/her representative should sum up his/her case, which may include a reply to the Management side. No new evidence should be introduced in summing up.
- Either party may request an adjournment at any time during the hearing with no detriment. Both parties will withdraw during an adjournment.
- The Panel may question any party to clarify matters which are unclear
- The Panel will adjourn to deliberate in private and will then re-call both parties to give the outcome of the Appeal

Appendix 6

FAST TRACK DISCIPLINARY PROCESS

It is recognised that there are occasions where staff identify that their behaviour or action was not in line with normal practice/expectations. Where staff **accept** responsibility for their actions and acknowledge that the behaviour or conduct should not be repeated they can choose to take the fast track disciplinary process, subject to the agreement of their line manager.

The fast track disciplinary process is an option following the completion of the full investigation. This process is not suitable in cases of gross misconduct or where an employee is already subject to a final written warning or the allegations are denied.

Once the investigation is concluded and the Case Manager has reviewed the case as appropriate for the fast track process. The fast track process will only be used where the member of staff and the Case Manager agree to the process being used.

If the process is considered suitable the member of staff will be informed that this is an option and if they agree they will be asked to attend a meeting. Their agreement will be required in writing.

The meeting will be chaired by the Case Manager, supported by a HR Business Consultant/HR Consultant. The member of staff will attend the meeting and can be supported by a trade union representative or work colleague. The line manager of the member of staff should also attend. The Investigating Team do not attend a disciplinary meeting.

During the meeting the following format will be applied:

- The Case Manager will feedback the outcome of the case review
- The employee will have the opportunity respond to the allegations and raise any mitigation
- The employee will reflect on the reasons for the issue/incident that occurred and share their learning gained from incident

If no further issues come to light the Case Manager will consider the action to be taken which may be:

- No Warning issued and implementation of action plan
- Stage 1 Written Warning issued and implementation of action plan
- Stage 2 – Final Written Warning issued and implementation of action plan
- Referral into a formal investigation and to a disciplinary hearing panel if the action is considered to be at a gross misconduct level or further concerns not previously identified have been raised and require investigation.

When deciding on the level of action to be taken the Case Manager will take in to account the fact that the member of staff has accepted and taken responsibility for their actions.

The warning will be placed on the personal file for the relevant period

The purpose of the action plan is to demonstrate further learning/competencies to be gained or action to be taken to ensure issue does not arise again.

Where the incident is considered to be at a level of gross misconduct the fast track process will not apply.

Individuals can appeal against the sanction issued by the panel as per the appeals process identified in the document above and will have 15 working days from receipt of the letter to do so.

Meetings will be recorded to enable a written verbatim account of proceedings where appropriate. Staff will be given the opportunity to check the notes from the meeting for accuracy, and are also able to submit additional written statements should they wish to.

APPENDIX 7

Equality Impact Assessment Tool

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

		Yes/No	Comments
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	• Race	No	
	• Ethnic origins (including gypsies and travellers)	No	
	• Nationality	No	
	• Gender	No	
	• Transgender	No	
	• Religion or belief	No	
	• Sexual orientation including lesbian, gay and bisexual people	No	
	• Age	No	
	• Disability - learning disabilities, physical disability, sensory impairment & mental health problems	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	N/A	
4.	Is the impact of the policy/guidance likely to be negative?	N/A	
5.	If so can the impact be avoided?	-	
6.	What alternatives are there to achieving the policy/guidance without the impact?	N/A	
7.	Can we reduce the impact by taking different action?	N/A	

If you have identified a potential discriminatory impact of this key document, please refer it to Head of Human Resources (Workforce Transformation), together with any suggestions as to the action required to avoid/reduce this impact.

For advice in respect of answering the above questions, please contact Head of Human Resources (Workforce Transformation)

Appendix 8

Checklist for the Review and Approval of Key Document

To be completed by the key document author and attached to any document which guides practice when submitted to the appropriate committee for consideration and approval.

	Title of document being reviewed:	Yes/No/Unsure	Comments
1.	Title		
	Is the title clear and unambiguous?	yes	
	Is it clear whether the document is a guideline, policy, protocol or standard?	yes	
2.	Rationale		
	Are reasons for development of the document stated?	yes	
3.	Development Process		
	Is the method described in brief?	yes	
	Identify which people have been involved in the development including stakeholders/users?		
	Name	Job Title	
	Julia Cross,	Head of Human Resources	
	Hazel Compton/ /Delyth Davies/Clalre Morton	Human Resources Manager	
	Kath Ackah	Staff Side Chair – Unison Branch Chair	
	Shaunee Irvine	RCN representative	
	JNCC Staff Side	Unison, Unite, RCM, RCN, BAOT,	
		Yes/No/Unsure	Comments
	Do you feel a reasonable attempt has been made to ensure relevant expertise has been used?	yes	
4.	Content		
	Is the objective of the document clear?	yes	
	Is the target population clear and unambiguous?	yes	

	Title of document being reviewed:	Yes/No/Unsure	Comments
	Are the intended outcomes described?	yes	
	Are the statements clear and unambiguous?	yes	
5.	Evidence Base		
	Is the type of evidence to support the document identified explicitly?	yes	
	Are key references cited?	yes	
	Are the references cited in full?	yes	
	Are supporting documents referenced?	yes	
6.	Approval		
	Does the document identify which committee/group will approve it?	yes	
	If appropriate have the joint Human Resources/staff side committee (or equivalent) approved the document?	yes	
7.	Dissemination and Implementation		
	Is there an outline/plan to identify how this will be done?	yes	
	Does the plan include the necessary training/support to ensure compliance?	yes	
8.	Document Control		
	Does the document identify where it will be held?	yes	
	Have archiving arrangements for superseded documents been addressed?		Plans have been agreed to ensure appropriate arrangements
9.	Process to Monitor Compliance and Effectiveness		
	Are there measurable standards or KPIs to support the monitoring of compliance with and effectiveness of the document?	yes	
	Is there a plan to review or audit compliance with the document?	yes	
10.	Review Date		
	Is the review date identified?	yes	
	Is the frequency of review identified? If so	yes	

	Title of document being reviewed:	Yes/No/Unsure	Comments
	is it acceptable?		
11.	Overall Responsibility for the Document		
	Is it clear who will be responsible for co-ordinating the dissemination, implementation and review of the document?	yes	

Individual Approval (this section to be completed by managerial/professional lead)

If you are happy to approve this document, please sign and date it and forward to the chair of the committee/group where it will receive final approval.

Name	Julia Cross	Date	
Signature			

Committee Approval

If the committee is happy to approve this document, please sign and date it and forward copies to the person with responsibility for disseminating and implementing the document and the person who is responsible for maintaining the organisation's database of approved documents.

Name	Denise Harnin	Date	
Signature	On behalf of the Joint Negotiating and Consultative Committee		

Appendix 9

Plan for Dissemination of Key Documents

To be completed by the key document author and attached to any document which guides practice when submitted to the appropriate committee for consideration and approval.

Title of document:	Disciplinary Policy		
Date finalised:		Dissemination lead: Print name and contact details	Julia Cross
Previous document already being used?	Yes		
If yes, in what format and where?	Trust Policy document held on intranet under HR Document Library		
Proposed action to retrieve out-of-date copies of the document:	Delete existing policy and replace with revised policy. Old policies archived on shared HR drive.		
To be disseminated to:	How will it be disseminated, who will do it and when?	Paper or Electronic	Comments
All staff	Publication on HR Document library	electronic	
Managers	Publication through Trust Update	electronic	
Trust board	Through report to Workforce Assurance Group	electronic	
Managers	Workshops	Electronic	Supporting documentation

Dissemination Record - to be used once document is approved.

Date put on register / library of procedural documents		Date due to be reviewed	
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Disseminated to: (either directly or via meetings, etc)	Format (i.e. paper or electronic)	Date Disseminated	No. of Copies Sent	Contact Details / Comments

Appendix 10

Financial Risk Assessment

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

	Title of document:	Yes/No
1.	Does the implementation of this document require any additional Capital resources	No
2.	Does the implementation of this document require additional revenue	No
3.	Does the implementation of this document require additional manpower	No
4.	Does the implementation of this document release any manpower costs through a change in practice	No
5.	Are there additional staff training costs associated with implementing this document which cannot be delivered through current training programmes or allocated training times for staff	No

If the response to any of the above is yes, please complete a business case and which is signed by your Finance Manager and Directorate Manager for consideration before progressing to the relevant committee for approval