# TEMPLATE LETTER 8

**DISCIPLINARY HEARING OUTCOME NOTIFICATION**

1. **First/Final written warning**
2. **Dismissal with notice**
3. **Dismissal without notice**

**DISCIPLINARY HEARING OUTCOME**

**FIRST/FINAL DISCIPLINARY WARNING**

**PRIVATE & CONFIDENTIAL**

<Addressee>

<Address>

<Date>

Dear <Addressee>

**DISCIPLINARY HEARING – WRITTEN WARNING**

I refer to the Disciplinary Hearing held on **(INSERT DATE)** at **(INSERT** **VENUE)**.

Present at the hearing were the following **(INSERT NAMES, DESIGNATIONS AND ROLES OF ALL THOSE PRESENT).**

**(NOTE: IF EMPLOYEE DID NOT ATTEND AND/OR ATTENDED WITHOUT REPRESENTATION THIS SHOULD BE IDENTIFIED, TOGETHER WITH THE CIRCUMSTANCES, EG THAT THE EMPLOYEE WAS HAPPY TO PROCEED WITHOUT REPRESENTATION AND/OR HAD BEEN NOTIFIED THE HEARING WOULD PROCEED IN HIS/HER ABSENCE)**

The purpose of the hearing was to consider the following allegation(s) against you **(INSERT DETAIL OF THE ALLEGATION(S)).**

Having carefully considered all the evidence presented at the hearing the Disciplinary Panel found that **(INSERT DETAIL OF FINDINGS).**

The Disciplinary Panel considers that your conduct in this matter constitutes misconduct. Consequently, the Disciplinary Panel’s decision is that you be given a **(INSERT FIRST OR FINAL WRITTEN WARNING).**

The warning you have received is effective from the date of this letter. A copy of this letter will be placed on your personal file where it will remain. However, it will not normally be regarded for disciplinary purposes after a period of **(INSERT IDENTIFIED PERIOD, OF UP TO 24 MONTHS, AS DETERMINED BY THE PANEL)**. This warning will be taken into account should any further misconduct occur during the identified period of this warning and as a consequence it could result in your dismissal.

**(INSERT AS APPROPRIATE)** The Disciplinary Panel also determined that as part of the formal disciplinary action taken against you any pay increment(s) due to be paid to you during the period of your warning will be withheld. Any such increment withheld will be paid to you upon the expiry of your warning subject to your conduct having improved to an acceptable standard. However, the payment of any withheld increment(s) will not be backdated.

**(INSERT AS APPROPRIATE)** The Disciplinary Panel further determined that the following management action take place in respect of you **(INSERT DETAIL OF ANY MANAGEMENT ACTION DETERMINED BY THE PANEL, EG THAT THE EMPLOYEE UNDERTAKES REFRESHER TRAINING OR IS TO WORK UNDER SUPERVISION FOR A TIME)**

You have the right to appeal against the Disciplinary Panel’s decision, as detailed in the Council’s Appeals Policy, a copy of which is enclosed. If you wish to exercise your right to appeal you must do so by writing to **(INSERT NAME/ADDRESS** **OF THE EMPLOYEE’S OWN DIRECTOR)** within 10 working days of receipt of this letter. In lodging your appeal you are required to clearly identify your grounds for appeal. The enclosed Appeals Policy document will assist you to identify the grounds for appeal. However, to illustrate the clarity and detail required it is insufficient to simply identify that you felt not all the evidence was considered. You will need to identify the evidence, which you believe was not considered. In submitting your appeal you will also need to identify who, if anyone, will be representing you at your appeal and provide their contact details.

**(INSERT AS APPROPRIATE)** As a consequence of this disciplinary action you are further advised that the Council will be notifying relevant bodies of the Disciplinary Panel’s decision, namely **(INSERT AS APPROPRIATE – EXAMPLES INCLUDE THE TEACHING AGENCY, HEALTH PROFESSIONS COUNCIL AND/OR THE DISCLOSURE AND BARRING SERVICE (DBS)).**

You should note that I have provided your own management, Human Resources and the Investigator **(and trade union representative where appropriate)** with a copy of this letter for information purposes.

If you have any queries about this letter you should contact **(INSERT** **NAME/TELEPHONE NUMBER OF HR ADVISER)** in the first instance.

Yours sincerely

Name/Designation

(Chair of the Disciplinary Panel)

**DISCIPLINARY HEARING OUTCOME (WHERE WARNING ALREADY EXISTS)**

**DISMISSAL WITH NOTICE**

**PRIVATE & CONFIDENTIAL**

<Addressee>

<Address>

<Date>

Dear <Addressee>

**DISCIPLINARY HEARING – DISMISSAL**

I refer to the Disciplinary Hearing held on **(INSERT DATE)** at **(INSERT** **VENUE).**

Present at the hearing were the following **(INSERT NAMES, DESIGNATIONS AND ROLES OF ALL THOSE PRESENT).**

**(NOTE: IF THE EMPLOYEE DID NOT ATTEND AND/OR ATTENDED WITHOUT REPRESENTATION THIS SHOULD BE IDENTIFIED, TOGETHER WITH THE CIRCUMSTANCES, EG THAT THE EMPLOYEE WAS HAPPY TO PROCEED WITHOUT REPRESENTATION AND/OR HAD BEEN NOTIFIED THE HEARING WOULD PROCEED IN HIS/HER ABSENCE)**

The purpose of the hearing was to consider **(INSERT DETAIL OF** **ALLEGATION(S)).**

Having carefully considered all the evidence presented at the hearing the Disciplinary Panel found that **(INSERT DETAIL OF FINDINGS).**

The Disciplinary Panel considers that your conduct in this matter constitutes misconduct.

**(INSERT AS APPROPRIATE) - EITHER**

In reaching its decision in respect of an appropriate disciplinary sanction, the Disciplinary Panel had regard to the fact that you have previously received a disciplinary warning, which was live for disciplinary purposes at the time of your further misconduct. The previous warning was a final written warning. The Panel noted that at the time you received this warning you were advised that any further misconduct could result in your dismissal.

Having regard to the above and the Disciplinary Panel's finding of misconduct, the decision of the Disciplinary Panel is that in view of your further misconduct you are to be dismissed.

**OR**

In reaching its decision in respect of an appropriate disciplinary sanction, the Disciplinary Panel had regard to the fact that you have previously received a disciplinary warning, which was live for disciplinary purposes at the time of your further misconduct. The previous warning was a first written warning. The Panel noted that at the time you received this warning you were advised that any further misconduct could result in your dismissal.

Having regard to the above and the Disciplinary Panel's finding of misconduct, the decision of the Disciplinary Panel is that you be given a final warning and due its cumulative effect, you are to be dismissed.

As this is not a summary dismissal, this letter serves to issue you with your due notice of **(INSERT NUMBER** **OF WEEKS)** weeks and the period from **(enter date)** until **(enter date)** will be paid as notice.

Therefore, your employment with the Council will terminate on **(INSERT DATE).**

You **(INSERT WILL OR WILL NOT)** be required to work your notice.

***(NOTE FOR MANAGERS REGARDING NOTICE PERIOD DATES***

1. ***If the employee attended the hearing and notice was given verbally***

*The notice period starts the day after the hearing*

1. ***If the employee did NOT attend the hearing***

*The notice period starts 2 days after posting the outcome letter)*

**(INSERT AS APPROPRIATE)** The Disciplinary Panel also determined that as part of the formal disciplinary action taken against you any pay increment(s) due to be paid to you during the period of your notice will be withheld.

You have the right to appeal against the Disciplinary Panel’s decision, as detailed in the Council’s Appeals Policy, a copy of which is enclosed. If you wish to exercise your right to appeal you must do so by writing to **(INSERT NAME/ADDRESS** **OF THE APPROPRIATE HR** **ADVISER)** within 10 working days of receipt of this letter. In lodging your appeal you are required to clearly identify your grounds for appeal. The enclosed Appeals Policy document will assist you to identify the grounds for appeal. However, to illustrate the clarity and detail required it is insufficient to simply identify that you felt not all the evidence was considered. You will need to identify the evidence, which you believe was not considered. In submitting your appeal you will also need to identify who, if anyone, will be representing you at your appeal and provide their contact details.

**(INSERT AS APPROPRIATE**) As a consequence of this disciplinary action you are further advised that the Council will be notifying relevant bodies of the Disciplinary Panel’s decision, namely **(INSERT AS APPROPRIATE – EXAMPLES INCLUDE THE TEACHING AGENCY, HEALTH PROFESSIONS COUNCIL AND/OR THE DISCLOSURE AND BARRING SERVICE (DBS)).**

You should note that I have provided your own management, Human Resources and the Investigator **(and trade union representative where** **appropriate)** with a copy of this letter for information purposes.

If you have any queries about this letter you should contact **(INSERT** **NAME/TELEPHONE NUMBER OF HR ADVISER)** in the first instance.

Yours sincerely

Name/Designation

(Chair of the Disciplinary Panel)

**DISCIPLINARY HEARING OUTCOME**

**DISMISSAL WITHOUT NOTICE**

**PRIVATE & CONFIDENTIAL**

<Addressee>

<Address>

<Date>

Dear <Addressee>

**DISCIPLINARY HEARING - DISMISSAL**

I refer to the Disciplinary Hearing held on **(INSERT DATE**) at **(INSERT** **VENUE)**.

Present at the hearing were the following **(INSERT** **NAMES, DESIGNATIONS AND ROLES OF ALL THOSE PRESENT).**

The purpose of the hearing was to consider the following allegation(s) against you **(INSERT DETAIL OF ALLEGATION(S))**

**(NOTE: IF THE EMPLOYEE DID NOT ATTEND AND/OR ATTENDED WITHOUT REPRESENTATION, THIS SHOULD BE IDENTIFIED TOGETHER WITH THE CIRCUMSTANCES, EG THAT THE EMPLOYEE WAS HAPPY TO PROCEED WITHOUT REPRESENTATION AND/OR HAD BEEN NOTIFIED THE HEARING WOULD PROCEED IN HIS/HER ABSENCE)**

Having carefully considered all the evidence presented at the hearing the Disciplinary Panel found that **(INSERT DETAIL OF FINDINGS).**

The Disciplinary Panel considers that your conduct in this matter constitutes gross misconduct. Consequently, the Disciplinary Panel’s decision is that you be summarily dismissed, without notice. Consistent with this decision I write to confirm that your last day of employment with the Council is **<INSERT DATE>**

***(NOTE FOR MANAGERS REGARDING DISMISSAL DATES)***

1. ***If the employee attended the hearing and summary dismissal was given verbally***

*The dismissal takes effect on the day of the hearing*

1. ***If the employee did NOT attend the hearing***

*The dismissal takes effect 2 days after posting the outcome letter*

You have the right to appeal against the Disciplinary Panel’s decision, as detailed in the Council’s Appeals Policy, a copy of which is enclosed. If you wish to exercise your right to appeal you must do so by writing to **(INSERT NAME/ADDRESS** **OF THE APPROPRIATE HR ADVISER)** within 10 working days of receipt of this letter. In lodging your appeal you are required to clearly identify your grounds for appeal. The enclosed Appeals Policy document will assist you to identify the grounds for appeal. However, to illustrate the clarity and detail required it is insufficient to simply identify that you felt not all the evidence was considered. You will need to identify the evidence, which you believe was not considered. In submitting your appeal you will also need to identify who, if anyone, will be representing you at your appeal and provide their contact details.

**(INSERT AS APPROPRIATE)** As a consequence of this disciplinary action you are further advised that the Council will be notifying relevant bodies of the Disciplinary Panel’s decision, namely **(INSERT AS APPROPRIATE - EXAMPLES INCLUDE THE TEACHING AGENCY, HEALTH PROFESSIONS COUNCIL AND/OR THE DISCLOSURE AND BARRING SERVICE (DBS)).**

You should note that I have provided your own management, Human Resources and the Investigator **(and trade union representative where appropriate)** with a copy of this letter for information purposes.

If you have any queries about this letter you should contact **(INSERT** **NAME/TELEPHONE NUMBER OF THE HR ADVISER)** in the first instance.

Yours sincerely

Name/Designation

(Chair of the Disciplinary Panel)

Updated August 2018