

## DISCIPLINARY POLICY AND PROCEDURES

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Approved by	EMT
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Audience – Training and Awareness Method	<p>Training will be delivered to Managers to support them to understand and undertake their responsibilities effectively.</p> <p>Detailed guidance documents have been produced to support initial and ongoing implementation.</p>
Effective Date	November 2017

Internal References	<p>Code of Conduct Policy</p> <p>Grievance Policy and Procedures</p> <p>Whistleblowing Policy</p>
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External References	<p>ACAS Code of Practice (revised), Employment Act 2002, Dispute Resolution Regulations 2004, SSSC Code of Conduct, Care Commission, CIPD Fact Sheet on the role of HR</p>
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## Disciplinary Policy and Procedures

### 1. INTRODUCTION

- 1.1 The purpose of the disciplinary policy and supporting procedures is to help and encourage employees to achieve and maintain a required standard of conduct, performance and attendance at work. The aim of the procedure is also to ensure that when disciplinary action needs to be taken, it is applied consistently and fairly in every case.
- 1.2 Blackwood also recognises the importance of both employees and managers being aware of their rights and responsibilities in relation to conduct and attendance at work.

### 2. APPLICATION AND SCOPE

Blackwood requires and expects a high degree of personal and professional conduct and responsibility from all employees including satisfactory standards of behaviour, performance and attendance.

- 2.1 The disciplinary policy and supporting procedures included in this document provide a framework for dealing with instances where employees are alleged not to have met the required standards of conduct or performance. The aim is to ensure prompt, consistent and fair treatment for all employees and to assist in enabling both the employee and Blackwood to be clear about the expectations of both parties.
- 2.2 Appendix A gives examples of unsatisfactory conduct and gross misconduct. Appendix B gives details of levels of authority for undertaking various levels of discipline.
- 2.3 This policy applies to all employees employed by Blackwood under a contract of employment.

### 3. GENERAL PRINCIPLES

The following principles will apply to the application of this policy.

- 3.1 **Informal resolution** - Managers are responsible for addressing conduct and behaviour issues as early as possible and for taking appropriate action. Where appropriate, steps will be taken to resolve issues on an informal basis without recourse to the formal procedure. Section 10.6 below covers mediation which may be undertaken at any point in this process where this is agreed with the employee/s concerned.
- 3.2 **Formal investigations** - will not be undertaken unless there are sufficient grounds to do so. This may mean that a fact-finding exercise is carried out to identify whether the issue needs investigated in a more formal manner.

- 3.3 **Investigation** - Before disciplinary action is taken an investigation should be undertaken.
- 3.3 **Nature of allegations** – The employee against whom an allegation has been made shall be advised in writing of the nature of the allegations made against him/her and will be given the opportunity to state his/her case before any decision is made to take disciplinary action.
- 3.4 **First breach of discipline** -Dismissal will not generally be a sanction for a first breach of discipline except in the case of gross misconduct.
- 3.5 **Right to be accompanied** - All employees who are the subject of this policy have the right to be accompanied at any formal meeting or disciplinary hearing held under the policy by a trade union representative or work colleague. Employees cannot be represented by someone who is already involved in the case, a family member or a friend (unless they are also a colleague or trade union official, or a legal representative. Neither would it be appropriate to seek to be represented by someone from a significantly different geographic location when there is an appropriate person at a closer or same location as the employee. The representative is not permitted to answer questions on behalf of the employee.
- 3.6 **Confidentiality** – All parties involved must ensure that they maintain, as appropriate, the confidentiality of the process within and outside the organisation.
- 3.7 **Involvement of Human Resources** – The Human Resources Team are available to give advice and support to management and employees on all aspects of this policy. Human Resources employees will not routinely be involved in cases below that of potential final written warning or dismissal. Where the issue is complex, has the potential for dismissal or a final written warning or where the case involves equality, harassment or bullying allegations then it is expected that advice will be sought from HR in advance of any decisions being made. Levels of authority detailed in Appendix B also covers the role of HR.
- 3.8 **Appeals against sanctions including dismissal** - Sanctions or warnings issued as a result of procedures will remain in force pending the outcome of any appeal.
- 3.9 **Timescales** - Whilst every effort will be made to comply with timescales, due to the complexity and or specific circumstances of cases, timescales may be extended by agreement. In such circumstances the employee will be advised of the reasons for any delay.
- 3.10 **Nonattendance at disciplinary hearings** - In exceptional circumstances, where an employee does not attend a meeting, Blackwood reserves the right to progress matters in their absence using the evidence in hand. This will only be done in cases where attempts to carry out the process have been unsuccessful and it has been deemed fair and reasonable to do so. Advice from the HR team must always be sought in these cases.

#### **4. INFORMAL PROCEDURE**

- 4.1 It is part of the normal supervisory process that managers bring to the attention of employees the standards required as laid down in the organisation's policy and procedures and any failure to meet those standards.
- 4.2 Cases of minor misconduct, (e.g. recurrent lateness) should be dealt with by the employee's manager/team leader, (hereafter referred to as the 'manager') informally and without delay. The manager must speak to the employee, in private and should encourage them to conduct themselves in accordance with the required standards. A note should be taken of the meeting.
- 4.3 The purpose of these discussions is to ensure that the employee understands the nature of the concerns, expectations of improvements in conduct and where appropriate timescales and the nature of any support available.
- 4.4 It is advisable to confirm the outcomes of any discussions in writing to the employee. The manager should retain any note of these informal discussions or meetings. The employee should be given the opportunity to contribute to the notes and has the right to review them and challenge the content.
- 4.5 Following a satisfactory outcome to the use of the informal procedure, the matter will be considered resolved.
- 4.6 However, where an issue has been discussed with an employee informally and if:
  - the issue has not been resolved and the problem persists
  - the required improvements in conduct or performance are not achieved
  - further information becomes available during discussions which make the matter sufficiently serious

then the formal procedure should be invoked.

#### **5. FORMAL PROCEDURE**

- 5.1 Where the informal process has not led to improved conduct or performance, or where the alleged misconduct is of such seriousness that the manager considers informal action to be inappropriate, formal action will be initiated. Examples of misconduct are shown in Appendix A.
- 5.2 An investigation of the facts will be conducted to determine whether there is a disciplinary case to answer.
- 5.3 Where an investigation indicates that there may have been an act of misconduct or continued poor performance the employee will be required to attend a formal disciplinary hearing at which s/he shall be given the opportunity to respond and state his/her case.

## **6. AUTHORITY TO TAKE FORMAL DISCIPLINARY ACTION**

- 6.1 Appendix B details employees who are authorised to undertake disciplinary action in accordance with this procedure.

## **7. INVESTIGATION**

- 7.1 Before a disciplinary hearing is convened there will normally be an investigation into the circumstances of the alleged misconduct.
- 7.2 The employee will be informed promptly of any allegation and that an investigation to establish the facts will be undertaken. The investigation must be concluded as soon as reasonably possible whilst allowing sufficient time to interview relevant parties. Unless there are any exceptional circumstances, this should be completed within 28 working days (excluding weekends). Employees must be kept informed if there is any unexpected delay in the process.
- 7.3 The employee's manager '**commissioning manager**' will appoint an appropriate person '**investigation officer**' to undertake the investigation. Where the investigation relates to a member of the Executive Management Team (EMT) then the Chief Executive or Board Member may undertake the investigation. Blackwood reserves the right to appoint an external representative to undertake a formal investigation where appropriate, although this person should be at a more senior level to the person being investigated. The Human Resources team is available for advice and guidance to both management and employees.
- 7.4 The Investigation Officer will prepare a report (and supporting documentation) of their findings establishing whether there is a case to answer for each of the allegations.
- 7.5 Where the disciplinary issue has arisen because of complaints made under the Whistleblowing or other Policy and Procedures then the Investigating Officer should review any prior investigation, complete any further investigation as appropriate, and proceed to completing the report.
- 7.6 It is the commissioning manager's decision as to what action if any will be taken on receipt of the completed investigation report. Where no action is required the employee will be advised of this and any information relating to the investigation removed from the employee's file.

## **8. DISCIPLINARY HEARING**

### **7.1 Disciplinary Hearing – Preparation and conduct**

If following an investigation, the manager decides to progress to a disciplinary hearing the employee will normally be given five working days' (excluding weekends) notice and invited to attend the hearing. The employee will be provided with details of the allegation(s) and an indication as to whether the alleged misconduct is considered as potentially a serious/gross misconduct

case and therefore whether a sanction less than or up to dismissal may be considered. Appendix B should be referred to when deciding which manager chairs the hearing.

- 7.2 The panel at the hearing will normally be two managers, a manager (at a level appropriate to the potential outcome see Appendix 2) who will chair the hearing and will be referred to as the '**Hearing Manager**' and another manager at the same or similar level. Where there is potential for dismissal or final written warning then a member of the Human Resources Team would normally be the second manager. The Hearing Manager is responsible for the final decision.
- 7.3 The employee will be invited to make any written submissions or bring forward witnesses. Prior to the hearing, any documentation that will be referred to in the hearing will be made available to the employee.
- 7.4 It may be that the manager presenting the management case, and/or the employee wishes to bring witnesses to the hearing. Each will be responsible for communicating this to witnesses and advising the Hearing Manager in advance of the hearing the names of who will be called as witnesses. Witnesses will only be present at the hearing whilst being questioned.
- 7.5 The process at the hearing will normally be as follows:
  1. Hearing Manager commences by explaining the process and picking up on any other factors important to the hearing in question.
  2. The Investigating Officer or Hearing Manager outlines the findings of the investigation.
  3. Those present can ask questions of the investigating officer/manager
  4. The employee and/or representative outline their position in response to the allegations.
  5. Those present can ask questions of the employee.
  6. The Hearing Manager will ask the investigating officer and then the employee/representative to summarise their case.
  7. Where either side bring witnesses, they will 'call' them when they are presenting their case.
  8. The hearing will close for the panel to consider the outcome.
- 7.6 The panel will consider all representations and will then decide, considering the evidence presented, if on the balance of probabilities the allegation(s) are proven and if so what level of disciplinary sanction is appropriate.
- 7.7 Hearings may be adjourned to allow for further investigation if appropriate and at the decision of the Hearing Manager. Adjournments can also be taken during the day of the hearing by to with agreement of the parties present.
- 7.8 For a low-level allegation it may be that the hearing can adjourn for a decision to be made when the employee will be called back in for the Hearing Manager to deliver the decision. It is more likely however that the Hearing Manager will take time to consider the matters fully with the panel

and advise the employee of the decision in writing. In any case the employee will be advised of the outcome within five working days (excluding weekends) of the hearing taking place. Where this is not possible then the employee should be advised of the reason for this and a decision communicated within a reasonable period of time.

- 7.9 This written notice will provide the details of the reasons for the warning and any agreed timescale for improvement as well as the impact of no improvement or a further breach as well as right of appeal.

## **8. FORMAL LEVELS OF DISCIPLINARY SANCTIONS**

- 8.1 There are three levels in the formal disciplinary procedure with various sanctions dependent upon the gravity of the case and/or the on-going nature of the misconduct.

### **8.2 Level One Formal – First Written Warning**

This is usually given if there has been either a minor breach in conduct which remains unresolved by informal action, or a first more serious breach of discipline.

The disciplinary sanction of a written warning will be retained on the employee's personal file, subject to satisfactory conduct and/or improvements for six months from the date the decision is confirmed.

### **8.3 Level Two Formal - Final Written Warning**

- 8.3.1 If the employee does not meet the required standard of conduct set out in level one or commits any other act of misconduct during the timescale of an existing warning, then a final written warning may be awarded.

- 8.3.2 In some circumstances, where an alleged misconduct is sufficiently serious, it may be appropriate to progress straight to a final written warning.

- 8.3.3 The disciplinary sanction of a final written warning will be retained on the employee's personal file, subject to satisfactory conduct and/or improvements for twelve months from the date the decision is confirmed.

### **8.4 Level Three Formal – Dismissal**

- 8.4.1 If the employee does not meet the required standard of conduct set out in level two or commits any other related act of misconduct during the timescale of an existing warning then the employee may be dismissed.

- 8.4.2 In some circumstances, where an alleged misconduct is sufficiently serious, i.e. potential gross misconduct, it may be appropriate to progress straight to dismissal.

- 8.4.3 The letter requiring attendance at the formal disciplinary hearing where dismissal is a potential outcome should include a statement of the alleged

misconduct and warn the employee that one consequence of the hearing may be the termination of his/her employment with or without notice.

8.4.5 The manager conducting and hearing the case will consider all representations then decide if on the balance of probabilities and considering the evidence presented, if the allegation(s) are proven and if so what level of disciplinary sanction, including and up to dismissal, is appropriate. On the basis of the information presented that manager may decide:

1. To dismiss the employee (without notice or pay in lieu in the case of gross misconduct)
2. That there are insufficient grounds to dismiss the employee under this procedure and issue a lower level of warning.
3. That there are insufficient grounds to award any level of warning.
4. To take action short of dismissal, linked to a final written warning as follows:
  - To extend the timescale of a current warning or issue a lower level warning
  - To transfer the employee to an alternative post within the organisation (where this is at a more junior level salary will not be maintained, neither will excess travel expenses be provided)

8.4.6 When considering action short of dismissal the Hearing Manager will consider the extent to which standards have been breached, length of service, previous conduct and performance, and any special circumstances which might make it appropriate to adjust the severity of the sanction. There must also be strong mitigating factors to justify the use of this alternative sanction. In these circumstances the Human Resources Team will normally be involved.

## **9. APPEALS**

9.1 An employee who wishes to appeal against any disciplinary decision must do so by writing to the Head of Human Resources within 10 working days (excluding weekends) stating the grounds of the appeal. Grounds for appeal should be related to:

- Procedural defect at the original hearing that renders it unfair.
- New evidence which requires to be heard in full.
- Dispute about evidence (where this is significant it may be that a re-hearing is required after seeking advice from HR)
- The appropriateness of the level of sanction applied.

9.2 The Appeal Manager will normally be the CEO or someone nominated by them to undertake the appeal. The other members of the panel will normally be a member of the Executive Team and/or HR Team or someone nominated by the CEO to undertake this role. Where the appeal is against dismissal or a final written warning, HR will normally be involved in the appeal hearing.

9.3 Blackwood will hear the appeal and decide the case as quickly and as impartially as possible but normally within 28 working days (excluding

weekends) from the date of receiving the written notification of appeal. Where this is not possible the employee will be advised of the reason for this and the appeal progressed as quickly as possible under the circumstances.

- 9.4 The manager who made the initial disciplinary decision may be present at the appeal hearing to speak about the decision they made, and will be passed a complete copy of the appeal information submitted.
- 9.5 The process at the appeal hearing will normally be as follows:
  - 9.5.1 Appeal Manager commences by explaining the process and picking up on any other factors important to the hearing in question.
  - 9.5.2 The employee and/or their representative will present their reason for appeal
  - 9.5.3 Those present can ask questions of the employee:
    - a. The Hearing Manager (from the initial disciplinary hearing) will respond to the reasons for appeal as it relates to their considerations and decision.
    - b. Those present can ask questions of the Hearing Manager.
    - c. The Appeal Manager will ask the employee/representative and then the Hearing Manager to summarise their position.
    - d. Where either side can support their case with witnesses they will 'call' them when they are presenting their case.
    - e. The appeal hearing will close for the Appeal Manager to consider the outcome
- 9.6 The outcome of an appeal hearing will normally be communicated in writing to the employee no less than 5 working days (excluding weekends) after the meeting. This written notice will provide the details of the reasons for the decision as it relates to the grounds for appeal.
- 9.7 The decision following the appeal shall be final and there will be no further internal right of appeal.

## **10. OTHER IMPORTANT INFORMATION**

### **10.1 Removal of Disciplinary Records from Employees File**

Disciplinary warnings are normally removed from the employees file after expiry. However, in exceptional circumstances, the past disciplinary record may be taken into consideration if there are repeated or similar breaches of the code of conduct, suspected abuse of the system or the warnings periods during the period of employment, or if the employee's previous conduct calls into question their suitability for the post.

A disciplinary sanction that is spent will not normally be considered in any future disciplinary hearing.

### **10.2 Trade Union Representatives**

Where disciplinary action is being considered against an employee who is a trade union representative the normal disciplinary procedure will be followed.

It is however important that a senior union official is advised that formal procedures are being considered at the outset. A member of the HR Team would normally make this contact so Managers should advise HR of this at an early stage.

### 10.3 **Criminal Offences**

Criminal investigations and outcomes are separate to disciplinary investigations and outcomes and where there are criminal proceedings taking place, these should not be relied upon to replace a disciplinary investigation or proper hearing. Relevant professional bodies, such as Scottish Social Services Council (SSSC), The Care Inspectorate and Disclosure Scotland, may need to be informed of criminal investigations which involve a member of the registered workforce.

If an employee is charged with, or convicted of, a criminal offence (outside of employment), including driving offences, they must inform their manager immediately. This will not normally in itself be considered a reason for disciplinary action, however consideration will be given to the relevance and effect the charge or conviction has to or on the employee's suitability to do their job and their relationship with Blackwood, work colleagues, and customers. Where a criminal offence is involved advice should be taken from a member of the HR Team.

### 10.4 **Fraud**

Where fraud is suspected then a member of the Executive Management Team (EMT) must be contacted immediately and prior to any action being taken.

### 10.5 **Grievance's that arise during the Disciplinary Procedure**

In the course of a disciplinary procedure an employee may raise a grievance which is related to the case. If this happens, the disciplinary procedure may be suspended for a short time in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently through the investigation process which is currently underway. Guidance should be sought from Human Resources under these circumstances.

### 10.6 **Mediation**

10.6.1 An independent third party or mediator can sometimes help resolve disciplinary issues and Blackwood reserves the right to suspend a disciplinary procedure in order to employ it where it is deemed to be appropriate.

10.6.2 Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. There are no hard-and-fast rules for when mediation is appropriate but it can be used:

- for conflict involving colleagues of a similar job or grade, or between a manager and their team
- to rebuild relationships
- to address a range of issues, including relationship breakdown, personality clashes, communication problems and some minor bullying and harassment allegations.
- where disciplinary and grievance issues have become blurred, and the employer may prefer to tackle the underlying relationship issues by means of mediation.

## 10.7 **Duty to Inform Regulatory Bodies**

Blackwood is bound by legislation to inform the Scottish Social Services Council (SSSC), Nursing and Midwifery Council (NMC) Disclosure Scotland, Care Inspectorate and any other regulatory body relevant at the time of action being taken. Reporting will be in line with the statutory regulations and will be appropriate in the circumstances.

## 10.8 **Suspension**

10.8.1 Suspension is not a disciplinary sanction. The purpose of suspension is to remove an individual from the workplace pending an investigation. This may be because the serious nature of the allegation warrants the protection of other employees, clients, Blackwood property etc. or in support of the individual involved. Suspension should also be undertaken where there is a risk that witnesses may be influenced by the employee or other evidence tampered with or where it is in the best interests of the employee or the organisation generally.

10.8.2 Consultation with a senior manager and Human Resources must be undertaken before notice of suspension is issued. Notice of suspension can be given by a member of the Senior Management Team (SMT).

10.8.3 Where a senior manager is not available to advise on suspension local managers can offer seeking advice from a senior manager or a member of the HR Team send an employee home e.g. if the employee was deemed to be under the influence of alcohol or there were serious concerns about the employee remaining in the workplace, and consultation as detailed above undertaken as soon as possible thereafter.

10.8.4 All suspensions must be reviewed by the Senior Manager following a 3 week period and advice taken from HR should the suspension be required to continue.

## 11. **REVIEW**

This procedure will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation.

## Appendix A

### 1. Examples of Misconduct and Gross Misconduct

- 1.1 Blackwood requires and expects a high degree of personal and professional conduct and responsibility from all employees. These disciplinary procedures are designed to cover behaviour which is contrary to that necessary for ensuring a safe and efficient workplace and home environment for customers and for maintaining good employee relations.
- 1.2 Blackwood has therefore determined that any of the following acts will be construed as a breach of the standards required of its employees and disciplinary action may, if warranted by proper investigation, follow. The nature of a disciplinary offence generally falls into one of two categories; unsatisfactory conduct and gross misconduct. The former involves minor misconduct or unsatisfactory performance which, if repeated, can lead to dismissal. Acts which constitute gross misconduct are those resulting in a serious breach of the employment relationship. This listing below is not exhaustive and is subject to review.

### 2. Examples of Unsatisfactory Conduct might include, but are not limited to:

- 2.1 Consistently or frequently failing to produce a satisfactory quality and quantity of work, the standard for which will be set by Blackwood.
- 2.2 Conduct outside work which casts doubts on the employee's capacity to fulfil his/her contractual obligations.
- 2.3 Noncompliance with Blackwood's Values.
- 2.4 Any form of intimidation, harassment, victimisation or bullying of a customer or employee either directly or indirectly
- 2.5 Misuse of Blackwood facilities (e.g. Blackwood property, resources, email accounts and internet access).
- 2.6 Misuse of customer property or belongings
- 2.7 Unauthorised absence or lateness or repeated failure to work prescribed number of hours.
- 2.8 Leaving the place of work before the appointed time, without permission.
- 2.9 Repeated or serious failure to follow reasonable management instructions.
- 2.10 Less serious incidents of deliberate disclosure of information to unauthorised persons, or acts or omissions of conduct or performance, which are against Blackwood's interests, the interests of customers, employees, or which could bring Blackwood into disrepute.
- 2.11 Minor breach(es) of health and safety rules.

- 2.1.2 Persistent casual or short term sickness absenteeism.
- 2.1.3 Failure to comply with Blackwood rules or policies which are properly notified.
- 2.1.4 Being unfit for work through alcohol substance or non-prescription drug misuse.

**3. Examples of gross misconduct might include, but are not limited to:**

- 3.1 Deliberately giving false information which may have a material effect on the recruitment process.
- 3.2 Serious or persistent non-compliance with Blackwood's Values including bringing the company into disrepute.
- 3.3 Theft or fraud, including deliberately falsifying any Blackwood records or documents.
- 3.3 Serious misuse of Blackwood facilities (e.g. Blackwood property, resources, email accounts and internet access).
- 3.4 Physical violence or serious levels of intimidation, harassment, victimisation or bullying of a customer or employee either directly or indirectly.
- 3.5 Unlawful discrimination or harassment on the grounds of sex, sexual orientation, marital status, race, religion/belief, age or disability of a customer or employee/prospective employee/employee's relative.
- 3.6 Taking sexual advantage of a customer or employee.
- 3.7 Serious misconduct outside work which casts doubts on the employee's capacity to fulfil his/her contractual obligations.
- 3.8 Serious insubordination or breach of Blackwood policy and procedures.
- 3.9 Deliberate and/or serious damage to Blackwood's property or reputation.
- 3.10 Deliberate disclosure of information to unauthorised persons, or acts or omissions of conduct or performance, which are against Blackwood's interests, the interests of a customer or employee, or which could bring Blackwood into disrepute.
- 3.11 Serious or repeated breaches of Blackwood's Information Security or E-Mail and Internet Access policies including deliberately accessing pornographic, offensive or obscene material, and making inappropriate comments on social media.
- 3.12 Serious breaches of Blackwood's Health and Safety at Work Policy, including any deliberate act or omission of conduct that may place an employee, their colleagues, customers or any other person(s) at risk.

- 3.13 Any breach of professional codes of conduct or legislation under which Blackwood employees are bound to operate, these include but are not limited to; Protection of Vulnerable Adults Guidelines, Scottish Social Services Council Codes of Practice and Care Commission Regulations.
- 3.14 Any serious action in or out of the workplace which has the potential to have a significant impact on the reputation of Blackwood.
- 3.15 Taking alcohol or substances at work and/or serious incapacity at work brought on by the misuse of alcohol or substance misuse.

## Appendix B: Illustrative levels of authority to take disciplinary action

Level of Disciplinary Action	Head of Department is the manager	Head of Department is NOT manager
Suspension <b>Note:</b> the decision to suspend will normally be taken after consultation with HR where possible	Head of Department or member of Executive Management Team or a member of the HR team	Head of Department or member of Executive Management Team or a member of the HR team
Action or sanction less than dismissal	Head of Department	Manager
Dismissal or action 'short of' dismissal <b>Note:</b> HR would always be involved	Head of Department or member of Executive Management Team	Head of Department or member of Executive Management Team
Appeal against sanction less than dismissal <b>Note:</b> HR would always be involved	Chief Executive or a senior manager nominated by them	Chief Executive or a senior manager nominated by them
Appeal against dismissal or action 'short of' dismissal <b>Note:</b> HR would always be involved	Chief Executive or a senior manager nominated by them	Chief Executive or a senior manager nominated by them

This table is illustrative and not exhaustive, and will largely depend on the circumstances of the case. The principles are that the employee's manager where sufficiently senior can deal with disciplinary action up to and including dismissal.

Individuals can nominate a deputy as the authorised manager (with the exception of dismissal) – although if not available or previously involved another equivalent manager could be involved, e.g. Regional Manager from another area. The principles of independence and having not previously been involved in the case or managing others involved in the case should apply.