

Disciplinary Procedures

I have been told that I might be subject to Disciplinary Procedures, what do I do ?

Firstly, **do not** enter into any informal discussions, informal "chats" or email Correspondence on the subject. Do **not** accept or admit to any allegations.

Secondly, familiarise yourself with the Disciplinary procedures. They are in the Civil Service Regulations which are available to all civil servants at any time.

You should ask to see them, and if they are not forthcoming, contact your rep or Eric Clucas, the Secretary. The Disciplinary Procedures are not a large part and can easily be copied for your reference. Make sure that you also copy and read the Notes for Guidance for Managers - these make the procedures a bit easier to understand. (The Regulations are in the process of being rewritten and will eventually be available online, and hopefully, be more user-friendly.)

Put briefly, the Disciplinary Procedures consists of 3 parts :-

a) **The investigation** - this is just to establish the facts of the situation, because at this stage, allegations are still only allegations and the type of action has not been decided. The investigating officer will gather relevant facts and documents, and interview everyone involved.

Having examined the facts, the investigating officer will then make a recommendation as to how the matter is to be dealt with. It can be handled **informally**, with just a verbal warning/restatement of standards and recording an entry in the officer's notes.

Or it can be handled **formally**, with a Disciplinary Hearing.

NB - Again, at this stage, the allegations are still only allegations.

b) **The Disciplinary Hearing** - this will determine whether there are grounds for the allegations. If not, then the case will be dismissed. If the Hearing believes that the allegations are proven, it will hear any mitigating factors and then award a penalty. The officer will then be given the opportunity to appeal against either the decision of the Hearing, or the penalty given. (If dismissal is recommended, this has to be referred directly to the Civil Service Commission).

c) **The Appeal** - if this is an appeal against the original Hearing decision, all the evidence will have to be re-examined. Otherwise, just the severity of the penalty will be considered.

At all stages, you have the right to be accompanied, and you should also be notified at every stage in writing.

Representation

If you require representation, please contact the Secretary *as soon as possible*.

The person representing you will need to schedule time, arrange to speak to you, read documents etc. When you speak to your representative, please be open and honest. Answer questions truthfully, provide copies of any relevant documents and any other background information.