



EMPLOYMENT LAW
ADVICE BUREAU

A Beginner's Guide to Disciplinary Procedures – Part 1





A Beginner's Guide to Disciplinary Procedures – Part 1

Here at Employment Advice Bureau, the most frequent area of employment law/HR we are asked about are conduct and disciplinary issues. Matters of misconduct, whether they are fairly minor or whether they are serious, need to be handled in a fair way and in line with the employer's disciplinary procedure or the ACAS Code of Practice.

Over the next few weeks, we will be focusing on the disciplinary process. We will be breaking it down into each of its stages to provide you with a clear guide and some top tips, to ensure that you avoid the many pitfalls that can lie in wait.

In Part 1 we will begin by outlining what misconduct is and also what it is not. We will also explain the purpose of a disciplinary procedure and how it can work for you.

What is conduct?

When we refer to conduct, we are referring to behaviours that the employer expects from their staff. Misconduct refers to those behaviours that staff occasionally exhibit which their employer expects not to see.

Is there a difference between conduct and performance?

Yes. It's important that we understand the differences between poor performance and poor conduct (or misconduct) because there are different procedures for dealing with each. Put bluntly, misconduct is usually 'can do, won't do' and poor performance (capability) is a case of 'can't do'.

This is just a sample but please continue to register for free. Once registered you will automatically receive an email where you can download the full guide.