

# Discipline and Grievance Procedure

## 1. Introduction

The Forestry Commission's disciplinary policy has been set out in ..... The intention of this document is to explain the procedures designed to ensure that the high standards of individual conduct laid down for public servants are observed and to provide a fair method of dealing with suspected misconduct. The procedures, when applied correctly, will help to ensure that individuals are treated fairly and consistently across the FC.

**Chapter 4 of the Staff Handbook** ([link](#)) sets out the standards of conduct expected in the Forestry Commission/Civil Service.

Examples of minor, serious and gross misconduct are set out in the **Managers' Guide** ([link](#)), as well as Staff Handbook 4.

An important part of the line manager's role is to deal with first instances of minor misconduct by counselling and setting clear guidelines and goals for improvement. These kinds of conduct problems should not be ignored.

### Fraud/Financial Irregularity

Guidance on fraud, responsibilities of managers/staff and procedures is contained in the Finance Code Chapter 19.

If, after initial enquiries, management is satisfied that a prima facie case of fraud or irregularity has occurred, it must be reported immediately by telephone to Director Finance. Written confirmation of the nature of the irregularity must be sent within 24 hours. Director Finance will inform the Head of Internal Audit and any other appropriate senior staff. Director Finance will decide on the form of investigation to be conducted and on the composition of the investigating team.

In cases of suspected fraud management will take steps to ensure that all original documentation is preserved in a safe place for further investigation. This may require the suspected individual to be suspended.

The Commission's policy is to refer cases of suspected fraud or proven fraud or theft to the Police at the earliest possible juncture. Management will co-operate fully with police enquiries and these may result in the offenders being prosecuted. Investigations will also be carried out to decide whether there has been any failure

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of supervision in such cases. Where this has occurred, appropriate disciplinary action will be taken against the managers responsible.

## Poor Performance or Sickness Absence Problems

Poor performance or disruptive levels of sickness absence will normally be dealt with under the separate 'capability' procedures, which are aimed at seeking and supporting improvements.

➤ These are contained in PMs.....

However, there may be circumstances where a person's behaviour in either of these categories may be judged as misconduct rather than incapability and should be dealt with under disciplinary procedures. Examples include:

- Breach of instructions or failure to follow procedures set down by managers
- Breach of health and safety rules or legislation
- Deliberate concealment of serious errors of work
- Poor performance that amounts to negligence
- Negligent loss of official property, papers or files
- Working for another employer or on a self-employed basis whilst signed off sick or claiming to be sick when this is untrue
- Persistent, unsatisfactory timekeeping.

Managers should seek advice from HR at the outset if unsure whether to deal with an issue as a disciplinary or a performance/attendance problem.

## 2. Minor Misconduct: Procedures for Line Managers

### Discussion and Counselling Stage

All Line managers have responsibility to deal with the types of misconduct set out in the 'minor misconduct' category.

Disciplinary procedures should not be thought of primarily as a means of imposing sanctions. In many cases, formal disciplinary action can be avoided if line managers tackle problems with their staff as quickly as possible e.g. poor timekeeping, poor relations between colleagues, improper use of the telephone etc. on the basis of seeking improvement through discussion (informal action).

Problems dealt with early enough can be 'nipped in the bud' if acted upon firmly and fairly with the emphasis on counselling the individual that their behaviour is not up to standard and needs to be improved.

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Guidance on carrying out such a discussion with someone concerning his/her conduct is contained in the Manager's Guide.

The 'discussion' approach is not appropriate where more serious misconduct or gross misconduct may have occurred, or where a previous discussion has failed to bring an improvement in behaviour, and in such cases the LM will refer the case to a more senior manager.

## Formal Procedure for Line Managers (LMs) Issuing a 'Noted Verbal' or 'Written Warning'

LMs can issue a warning where the behaviour justifies it.

The 'noted verbal' and 'written warning' penalties are most appropriate for:

- Cases where an individual persists in behaviour that has already been discussed and subject to informal counselling action but is not serious or gross misconduct e.g. repeated poor timekeeping, repeated rudeness, more than one use of the internet in working time, etc
- **To issue a warning, and to comply with the law, LMs must use the '3 step' procedure, which underpins all grievance and discipline cases.**

### Step 1: Invite to a meeting

- **Information on noted verbal, written warnings and shelf life, and model letters, are contained in the *Manager's Guide*.**

Noted verbal warnings and written warnings constitute a formal sanction because they are held on the person's file.

To comply with the law, they cannot be imposed without the LM first holding a disciplinary interview at which the individual will have the right to be accompanied by a Trade Union official or workplace colleague (though he/she may choose not to exercise this right).

The LM should first write to the individual stating that you want to hold a meeting to discuss their conduct. The letter should contain enough information for the individual to be able to understand both what it is they appear to have done wrong and also why this is not acceptable.

The letter should also invite the individual to a meeting with you at which the problem will be discussed, and it should inform him/her of the right to be accompanied at the meeting by a Trade Union official or work colleague. If the LM intends to produce any documents at the meeting, these should be enclosed. For example, if timekeeping is the issue, give details of the dates and times of the infringements.

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Where possible the timing and location of the meeting should be agreed with the individual.

## Step 2: Hold the Meeting, Decide on Outcome and Action

At the meeting, the LM will explain the areas of concern and go through any evidence. The individual should be allowed to set out their case and to answer any questions or allegations that are made. He/she should also be allowed to ask questions, present any other evidence or raise any points about information provided by other staff.

After the meeting, the LM will decide whether disciplinary action is justified or not. If you decide that no action is required, you should inform the individual. If action is justified, you decide which penalty is appropriate (noted verbal or written warning) and notify the individual.

There is a right of appeal against either penalty.

## Step 3: Appeal

If the individual wishes to appeal, another manager, normally the Unit Manager, will hold an appeal meeting at which the employee has the right to be accompanied by a Trade Union official or work colleague.

After the appeal meeting the manager will notify the final outcome- within 5 working days.

Copies of the warning issued to the individual and any papers relating to the case must be passed to HR Services.

## Minor Misconduct that is repeated after a warning

If the misconduct continues within the shelf life of a noted verbal warning, the LM can issue a written warning following a further disciplinary interview (i.e. by following the 3 steps above, which are mandatory).

If the LM has previously issued a written warning that is still within its shelf life, discuss the case with the head of your unit (e.g. FDM). The options include extending the shelf life of this warning (by following the 3-step procedure), or deciding that a more serious penalty is required. This would require a manager at the appropriate level [Conservator/FDM/Forest Management Director/Regional Director/Head of Division] ("Unit Manager") to follow the following procedure for serious misconduct. That Unit Manager will be at least PB3 and will include head of section or operational unit where appropriate.

## 3. Serious Misconduct

### Procedures for Senior Manager

Under these new procedures, Unit Managers (who are, for example, a Conservator/FDM/Forest Management Director/Regional Director/Head of Division), have a new role that involves dealing with **serious misconduct**, including arranging investigations, conducting hearings and imposing penalties.

These managers can also, of course, deal with minor misconduct by those staff for whom they are line manager and repeated minor misconduct referred by other managers in the unit.

Managers in the SSG will deal with serious misconduct by staff for whom they are the Reporting Officer, unless it is more appropriate that another SSG manager should deal with it.

Suspected gross misconduct (such as fraud, violence etc will continue to be dealt with by senior managers at SSG level and you should notify your Director as soon as possible if you have a case that could fall into this category. Fraud and violence may lead to Police involvement and it is imperative that you move quickly to notify the relevant senior managers.

Information on the types of misconduct that is at the serious level is in the ***Managers' Guide***.

Unit Managers can impose different levels of penalty, right up to dismissal for cumulative offences of serious misconduct (following a final written warning). HR must be consulted before penalties are imposed.

If during the course of an investigation, it becomes apparent that the misconduct being investigated is not serious but at the gross level, please refer to the ***Manager's Guide*** for advice.

- **If you are not sure what level the suspected misconduct is at, discuss with your HR Services Case Manager.**

### Setting up an Investigation

Once you are aware that serious misconduct has potentially occurred, you must first decide if an investigation is appropriate. Please note that the purpose of the investigation is to establish facts on the balance of probability and to offer a basis for the Unit Manager to consider how to proceed.

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Not all investigations need to involve two managers from another unit and it may be possible for you to arrange an investigation by one or two managers from within your own area.

- **You should consult with your HR Services Case Manager, who will be able to offer assistance in organising the investigation.**

You should not appoint anyone likely to be involved in the case or who would be interviewed as a witness.

It is advisable to include a 'Technical Expert' as an investigator if the case merits it e.g. health and safety, a firearm offence, security or data protection infringement, bullying etc.

Once you have decided on the investigator(s), write to the Suspected Individual informing them:

- that a disciplinary investigation is underway;
- the alleged misconduct being investigated and
- the names of the investigators.

It is then up to the investigators to arrange interviews and write to the individual with arrangements for his/her investigation interview.

- **Further guidance and a model letter to send to the individual is contained in the *Managers' Guide*.**
- **Guidance for Investigators is contained in the *Managers' Guide*.**

Suspension during an investigation should only be required in exceptional situations.

- **Guidance on suspension, and when it may be appropriate, is contained in the *Managers' Guide*.**

## Outcome of an Investigation, Charging and Disclosure

When an investigation is completed the Unit Manager will receive an investigation report. The report will contain recommendations about whether there is evidence to support a disciplinary charge.

If the Unit Manager, on reviewing the report feels there are sufficient grounds for proceeding with a disciplinary charge, the Unit Manager will write to the Suspected Individual setting out the charge, enclosing a copy of the investigation report and with arrangements for a disciplinary hearing with the Unit Manager as decision-maker.

There is a statutory right for the individual to be accompanied at this hearing by a Trade Union official or workplace colleague. Arrange a date, time and place that is suitable for all concerned.

You cannot carry out the hearing if you are likely to be subject to disciplinary action yourself as a result of the findings. If this is possible, the Investigators will send the report to your line manager to take the action.

- **Further guidance and a model letter to send to the individual to be charged is contained in the *Managers' Guide*.**

If the investigation concluded that no disciplinary offence has been committed, you will need to inform the individual in writing, but you must not disclose the investigation report.

- **Further guidance and a model letter to send to the individual is contained in the *Managers' Guide*.**

If the investigation report makes other recommendations for action, it is your responsibility to ensure that these are carried out.

## The Disciplinary Hearing

The purpose of the hearing is to explore the evidence collected, consider the investigation report, ask questions of the individual and hear their defence (assuming the charges have not been accepted). At the end of the hearing you should have enough information to reach a decision about firstly, whether the misconduct, as charged, has occurred and if so, what penalty is appropriate.

You should carry out the hearing with someone else present to take a written record, of which the Suspected Individual will receive a copy.

The individual must be able to set out their case fully, ask questions, raise points, present any other evidence, including points about information provided by the witness statements.

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You should not make or announce the decision at the hearing, but make your decision quickly, within a day or two, after considering all the information. You should write a file note that sets out the reasons for your decision in respect of each charge. This will be needed if there is an appeal or any further action (such as an Employment Tribunal if there is a dismissal).

- **Guidance on carrying out a hearing and notifying your decision, the disciplinary penalty and right of appeal is contained in the *Manager's Guide*.**
- **A list of penalties is contained in (where?).**
- **Further guidance on how to use the penalties is contained in the *Managers' Guide*.**

There is no fixed scale relating particular penalties to particular offences - each case will be decided individually in the light of the circumstances of that case, including any clear factors in mitigation and the person's record. The overriding requirement is the need to act reasonably and this involves consideration of the following factors:

- The nature of the misconduct
- Precedent
- The employee's general record
- Any circumstances that may make it appropriate to increase the severity of the penalty (e.g. the extent to which the person has lied, blamed others or failed to show remorse)
- Factors in mitigation (for example, remorse, personal contributing circumstances, creditable past record).
- **Consult HR Services for information to establish precedents for similar cases, but weigh up all relevant factors for this case.**

## Appeals for Serious Misconduct Cases

There is a statutory right of appeal against the outcome of disciplinary action. There is a right to be invited to an appeal meeting and a right to be accompanied at the meeting by a TU official or workplace colleague.

Written confirmation of the wish to appeal, together with the grounds of appeal, must be lodged within **10 working days** of the date of the penalty notification letter and must be sent to the person identified in the letter confirming the outcome of the Disciplinary Hearing. That person will normally be the line manager of the Unit Manager. That person is known as the Appeal Manager.

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The function of the appeal is not to 're-run' the investigation and hearing. An individual may appeal because:

- The employee thinks that a finding or penalty is unfair;
- New evidence comes to light;
- The procedure was seen as not used correctly.

The individual is required to set out the grounds for their appeal before the meeting.

The general approach for appeals in serious misconduct cases with a penalty short of dismissal is that they are heard by a more senior manager than the one who conducted and hearing/imposed the penalty. The appropriate person may vary in different part of the organisation.

It is possible that a serious misconduct case may result in dismissal with notice because of cumulative offences, for example a further serious offence having taken place within the shelf life of a final written warning for an earlier serious offence.

Appeals against dismissal will always be heard by the **Chief Executive, Country Director or Director within SH.**

Once an appeal is lodged, the Appeal Manager should write to the individual as soon as possible with the date/arrangements/right to be accompanied. The aim is to hold the appeal meeting within **10 working days** of the appeal being lodged.

Records, investigation report, and any other relevant papers should be made available to the manager hearing the appeal as soon as written confirmation of the appeal has been made.

The appeal can be heard by one manager, but there must be someone else present to take a note.

After the hearing, the Appeal Manager will make a judgement on the appeal. Possible outcomes include:

- Uphold the original disciplinary action and penalty; or
- Change the penalty; or
- Overturn the decision, for example, in the light of new relevant evidence or a procedure that was so seriously flawed that it resulted in an unreasonable judgement.

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If new evidence appears to have been presented the Appeal Manager will need to decide how far that new evidence is relevant. There may be a need for further investigation to be carried out.

After the appeal and when a decision is reached, the Appeal Manager will notify the individual in writing, explaining the reasons for the decision. Apart from cases involving dismissal, this is the final stage of the procedure and the response will make this clear.

In cases involving dismissal, the only other appeal routes are external to the FC: the Civil Service Appeal Board and an Employment Tribunal.

- **Model letters are available in the *Manager's Guide*.**
- **Guidance on how to lead an effective disciplinary appeal meeting is contained in the *Manager's Guide*.**

## 4. Gross Misconduct

### Procedures for Senior Managers

There will be cases where the breach of discipline is so serious that it may result in instant dismissal, without the usual period of notice or pay in lieu of notice, regardless of whether the individual has a previous disciplinary record. This is **gross misconduct**, which involves misconduct that constitutes a fundamental breach of the duty of trust that an employer rightly expects from employees as part of the employment contract.

Suspected gross misconduct will be dealt with by a Senior Manager at Senior Staff Group Level (Director, Chief Executive, Director General (the latter for suspected gross misconduct by those staff for which he is the line manager)).

As a Senior Manager, you will also deal with minor and serious misconduct by staff for whom you are the Reporting Officer.

Examples of disciplinary offences that will normally constitute **gross misconduct** are provided in the *Managers' Guide* and *Staff Handbook*.

As a senior manager, your role in dealing with gross/serious misconduct includes deciding what form the investigation should take, conducting the hearing and imposing penalties.

- **Please follow the guidance provided in the Serious Misconduct section for these stages of the procedure.**

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- **Model letters for gross misconduct stages are available in the *Manager's Guide*.**

## Appeals in Cases dealt with by Senior Managers

In cases decided by a Senior Manager, the appeal will be to the next manager in the line management chain. Where that next manager is the Director General, he may appoint a nominated delegate who will be at least the same level as the Senior Manager who made the original decision being appealed.

Please follow the guidance on appeals, in **Section 3**.

## 5. Grievance Procedure

### A. Introduction

Like the disciplinary procedure, there is a statutory underpinning to the FC's formal grievance procedure involving '3 steps'. The procedure is there for any member of staff to use.

A grievance is a complaint about a work issue that has adversely affected an individual or about which he/she is dissatisfied, for example:

- Health and safety concerns;
- Equal opportunities issues, such as discrimination;
- Breaches of statutory rights;
- Terms and conditions of employment;
- Working relationships;
- The working environment;
- New working practices or organisational changes;
- Performance Management issues.
- harassment or bullying, or complaints alleging other types of misconduct by an FC employee.

The FC uses different procedures for formal complaints involving:

- the Civil Service Code ([link](#));
- an unsuccessful application for an internal vacancy ([link](#)).

## B. Raising complaints with your line managers: Informally Resolving Grievances

It is in everyone's interests to ensure that your grievance is dealt with fairly and quickly and this is best achieved by raising it informally with your immediate line manager as a first step.

You should discuss your complaint with your immediate line manager within three months of the incident or decision that has given rise to the grievance, though it is far better to raise the issue immediately. If your grievance concerns the conduct of your immediate line manager or a decision taken by him/her, then you should address your concerns to your Confirming Officer (usually the next manager up).

Wherever possible, your manager will work to resolve the problem **locally** without formality through **discussion** and by taking advice if necessary, for example, from an HR manager or more senior manager. However, if you would like some help during any meeting to discuss your complaint, you can ask a TU representative or FC work colleague to accompany you.

For the record, a manager will, even when the matter has been satisfactorily resolved, record in a note to you the issue leading to the complaint (if it was not made in writing) and the agreed action to be taken or the decision on it.

Complaints, including harassment or bullying, where there is evidence that the behaviour is not misconduct, but results from poor working relationships or poor management styles, may be resolved through voluntary mediation between the parties involved. If the complainant agrees, the complaint will be suspended whilst the mediation is being taken forward.

## C. Formal Grievance Procedure

If the grievance cannot be settled with your manager through discussion, or you prefer to put your grievance on a formal footing, then you can use the **formal grievance procedure**, which has three stages.

### Stage One: Informing Your Manager of the Grievance

You should set out your grievance in writing to one of your line managers (normally your Reporting or Confirming Officer). However, if you have already tried to resolve your grievance with him/her at an earlier stage informally, or your line manager is involved in the grievance, then you can send the grievance to either your Confirming Officer or Unit Manager.

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You should try to be specific about any rules or procedures that you feel have been breached, outline any actions or events that you feel are relevant to the grievance and explain why you feel that you have been treated unfairly. If possible, you should also try to offer a suggestion of how the grievance could be settled.

## Stage 2: Meeting to Discuss the Grievance

You will be invited to attend a grievance meeting and be given a proposed date. This meeting will normally take place within **10 working days** of the written grievance being received. At such a meeting you have the right to be accompanied by a TU official or FC work colleague. If you or your chosen companion cannot attend on the date offered, you should offer another date that is within 5 working days of the first date suggested. If this is not possible, offer the earliest date that you could attend.

During the meeting you will be given every opportunity to explain your grievance and suggest how it could be settled. You and your companion at the meeting will be able to ask questions and to participate fully in the discussion. You should answer any questions that are asked by the manager.

Where a breach of HR policy or practice is the issue, an HR Manager may attend the grievance meeting to assist and participate.

The meeting may be adjourned for a decision or for the manager to consult with others.

## Stage 3: Decision

The manager will aim to respond in writing to the grievance within **5 working days** of the meeting, or, if no meeting has been requested, within **5 working days** of receiving the grievance. If it is not possible to respond in this time-scale, you will be told when a response can be expected.

If the manager cannot resolve the grievance to your satisfaction, he/she will include in the letter a **right of appeal** to a higher level manager and will state who that manager is.

## Stage 4: Appeal Meeting

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If you wish to appeal, you should confirm this in writing to the manager named as your point of appeal. You will be given a date for an appeal meeting. You have the right to be accompanied at this meeting (as above). You will be given a decision on your appeal as soon as possible after the meeting, normally within **5 working days** of it being held.

## Senior Staff: Formal Procedure

Staff at Pay Band 1 or in the Senior Staff Group should raise any grievance under *stage 1* with their Reporting Officer, with the appeal to the Confirming Officer, following the same steps. Where the Director General is your Reporting Officer, the appeal will be to the Chairman.

- **Guidance for managers on how to handle a grievance meeting or appeal is contained in the *Manager's Guide*.**

## Additional Procedural Guidance

### The Role of the 'Companion': Hearings and Appeal meetings; Grievance meetings

The person accompanying someone to a disciplinary hearing or appeal meeting has a right to (assuming the employee agrees):

- Put the employee's case;
- Sum up the employee's case
- Confer privately with the employee
- Participate fully and respond to views expressed.

However, he or she is not allowed to reply to questions put to the employee.

Given that the role of the companion is a statutory one, no detriment can be applied to any person acting in this role.

### The Civil Service Appeal Board and what it does

[www.civilserviceappealboard.gov.uk](http://www.civilserviceappealboard.gov.uk)

The Board is an independent body and all its Board members are retired civil servants (apart from the Chairman) who have many years experience in dealing with HR Management issues.

At each hearing, the Board comprises a Chairman and two Board members, one from a panel of retired senior civil servants and the other from a panel consisting of retired senior trade union officials. All are selected on the basis of fair and open competition.

The Board decides whether the decision to end a civil servant's employment was fair. They deal with capability related dismissals (sickness absence and poor performance) in addition to misconduct dismissals.

In arriving at their decision the Board looks at four specific areas:

- Procedures - were the procedures followed correctly?
- Substantive issue - was the employee treated fairly and reasonably by the employer?

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- Consistency - was anyone else in the same circumstances treated differently?  
and
- Proportionality - did the situation warrant the penalty of dismissal?

## Grievances Raised during a Disciplinary Procedure

Occasionally, someone may raise a grievance during a disciplinary process, for example, the person being investigated, or a witness. The grievance procedure in section X will apply.

It will not always be necessary to suspend the disciplinary procedure while the grievance procedure is being followed. However, in some cases, it may be that the disciplinary procedure will have to be suspended for a short period.

Not all grievances need to be formally investigated and it will be for the manager receiving the grievance to consider how best to look into the matters complained about, in consultation with HR Services.

A grievance cannot be raised about a penalty unless the grievance is that the action amounts to, or would amount to unlawful discrimination, or that the true reason for the action is not the reason given by the employer.

If the written grievance (by the person who is the subject of disciplinary procedures) is raised before the disciplinary appeal meeting, the rest of the grievance procedure does not have to be followed through, and the grievance can be also heard at the appeal meeting.

## Criminal Offences committed at work

There may be offences that are committed at work that may also be criminal offences (e.g. assault, theft or fraud, or accessing illegal material on the Intranet) and advice should be sought from the Head of HR Services about how to deal with these.

In some circumstances, it may not be necessary to carry out a full internal investigation before involving the Police because enough evidence may be available, for example, in a theft case, to involve them at an early stage. Indeed, because the criminal law requires different standards of evidence, management should contact the Police at an early stage where there is reasonable suspicion of serious criminal conduct.

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The Police should be notified where any material is accessed, downloaded or sent which may be a criminal breach of the Obscene Publications Act. Any evidence of attempted or successful access of child pornography must be notified to the Police.

Depending on the severity of the offence, a period of precautionary suspension may be appropriate whilst the investigation is being carried out.

In some cases, the Commission will not institute disciplinary procedures until it is clear that no criminal proceedings will arise or until criminal proceedings are complete because of the danger of prejudicing the legal process, and the individual's right to a fair trial. However, sometimes it is possible to take disciplinary action before criminal proceedings are complete, for example, where the individual has made a clear and voluntary admission of the disciplinary offence or where there is enough clear evidence or witnesses. However, legal advice should be sought before instituting disciplinary action in parallel with criminal proceedings.

Disciplinary action may follow criminal conviction, provided legal advice confirms that such action need not be delayed because of the possibility of an appeal.

The two processes are separate: it is for the Commission to determine disciplinary action and the Police to determine legal action. So, for example, even where there is a conviction, and to meet the requirements of the law, it is necessary to go through the procedure of making a disciplinary charge, arranging a hearing (if the person is not in custody) and allowing an appeal. It is unlikely, though, that any formal investigation would be necessary in such cases because the facts will already be available. The individual will have the right to be accompanied at any hearing and appeal by a Trade Union official or colleague.

Individuals acquitted of a criminal charge can be subject to internal procedures provided there is sufficient evidence that there has been a breach of internal conduct codes or procedure. The burden of proof is lower for internal charges (i.e. 'balance of probabilities', not 'beyond all reasonable doubt').

Legal advice will be sought by HR Services before starting disciplinary proceedings on the same/similar charge.

## Criminal Offences committed outside work

Individuals are required to notify details of criminal charges and convictions including disqualification from driving.

Being charged with or convicted of a criminal offence will not automatically result in disciplinary action or dismissal. Each case will be treated on its merits and advice

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sought. In deciding what action is appropriate, managers must take into account whether the offence:

- impairs the business of the Forestry Commission or of the Civil Service; or
- brings the Forestry Commission into disrepute; or
- is a breach of the Civil Service Code; or
- suggests that the individual is unsuitable for continued employment as a Civil Servant; or
- affects how far he/she will still be able to perform their duties;

If disciplinary action is taken, the normal procedures must apply.

## Disciplinary Records

Case files should include all paperwork relevant to the case, including:

- All letters to and from the employee
- Investigation report and interview records
- Findings made and actions taken following the Hearing
- The manager's file note explaining the reasons for his/her decision
- Appeal papers and outcome of the appeal
- Papers relating to any grievance raised during the process
- Any subsequent developments

Records are confidential and retained no longer than necessary in accordance with the Data Protection Act 1998.