

CHAIRING DISCIPLINARY & INCAPACITY HEARINGS

PURPOSE / OUTCOME

To equip the participant with skills and knowledge about the role of the chairperson at a disciplinary hearing with specific emphasis on the procedure and considering the merits of the parties' arguments. The participant should be able to chair a disciplinary hearing after the session.

CONTENT

- Distinguishing misconduct from incapacity
- The meaning of "*dismissal*" and disciplinary action short of dismissal
- The Code of Good Practice: Dismissal
- Substantive fairness guidelines for deciding on guilt & sanctions
- Procedural fairness - role of the chairperson
- Preparing for a disciplinary hearing
- The roadmap for conducting a hearing successfully: the 12 steps
- Rules of evidence
- Dealing with various obstacles at the hearing
- Deciding on the balance of probabilities
- Determining sanction
- Alternatives to dismissal

PRACTICAL ACTIVITIES

- The requirements of substantive and procedural fairness: case study
- The roles of the various parties involved in a disciplinary hearing: role play
- The hearing procedure and the challenges that may arise during a disciplinary hearing: case studies
- Finding and sanction: case studies
- Practical activities are aimed at preparation for the role of the chairperson in conducting the hearing as well as formulating the outcome

DURATION

2 days

TARGET GROUP

Managers who would chair disciplinary hearings