

PREPARING FOR & INITIATING DISCIPLINARY & POOR PERFORMANCE HEARINGS

How to effectively initiate and achieve success

24 & 25 October 2018

Objectives

To provide initiators and/or employee representatives with the ability to effectively investigate, prepare for and present a case at disciplinary/incapacity hearings

Content

- Causes of ill discipline
- Distinguishing misconduct from incapacity
- The meaning of "*dismissal*" and disciplinary action short of dismissal
- The Code of Good Practice: Dismissal
- Substantive fairness guidelines: understanding guilt and sanction
- Procedural fairness - role of the initiator
- How to gather facts and information – the investigation
- Preparing for and initiating a disciplinary interview versus a formal hearing
- Strategising the case
- Preparing an opening and closing statement
- Understanding balance of probabilities
- How to examine and cross examine
- Rules of evidence – dealing with evidence and admissibility
- Pitfalls within the process
- Poor performance management – counselling as joint problem-solving
- Preparing for the performance hearing