

Disciplinary Procedure



Dementia Care TLC Limited

1. Purpose

This procedure sets out how Dementia Care TLC will address issues of misconduct, capability, or breaches of company policy in a fair and consistent manner. It ensures compliance with the Employment Rights Act 1996, ACAS Code of Practice on Disciplinary and Grievance Procedures, and CQC requirements for safe and effective care.

2. Scope

This procedure applies to all employees of Dementia Care TLC. It covers misconduct, poor performance, and other issues that may require formal disciplinary action.

3. Principles

Issues will be dealt with promptly and consistently.

Employees will be given the opportunity to state their case before any decision is made.

No disciplinary action will be taken until a full investigation has been carried out.

Employees have the right to be accompanied by a trade union representative or work colleague at formal meetings.

Employees have the right to appeal against disciplinary decisions.

4. Informal Resolution

Where appropriate, issues may be resolved informally through discussion, coaching, or additional training. Formal procedures will only be used when informal resolution is not effective or the matter is too serious.

5. Disciplinary Stages

5.1 Investigation

An investigation will be carried out to establish the facts.

The employee may be interviewed, and witness statements taken.

In serious cases, the employee may be suspended on full pay while the investigation is completed.

5.2 Disciplinary Hearing

If there is a case to answer, the employee will be invited in writing to a disciplinary hearing.

The letter will set out the allegations, evidence, and possible consequences.

The employee has the right to be accompanied.

The hearing will be chaired by a manager not involved in the investigation.

5.3 Outcomes

Depending on the seriousness of the issue, the following outcomes may apply:

No action – if the case is not proven.

Verbal Warning – valid for 6 months.

Written Warning – valid for 12 months.

Final Written Warning – valid for 12–18 months.

Dismissal – with or without notice depending on the circumstances.

5.4 Gross Misconduct

Acts of gross misconduct may result in summary dismissal (dismissal without notice). Examples include (but are not limited to):

Attending work under the influence of alcohol or drugs.

Abuse, neglect, or mistreatment of service users.

Theft, fraud, or dishonesty.

Serious breaches of health and safety.

Deliberate breach of safeguarding policies.

6. Appeals

Employees have the right to appeal against any disciplinary decision.

Appeals must be submitted in writing within 5 working days of the decision.

Appeals will be heard by a manager not previously involved in the case.

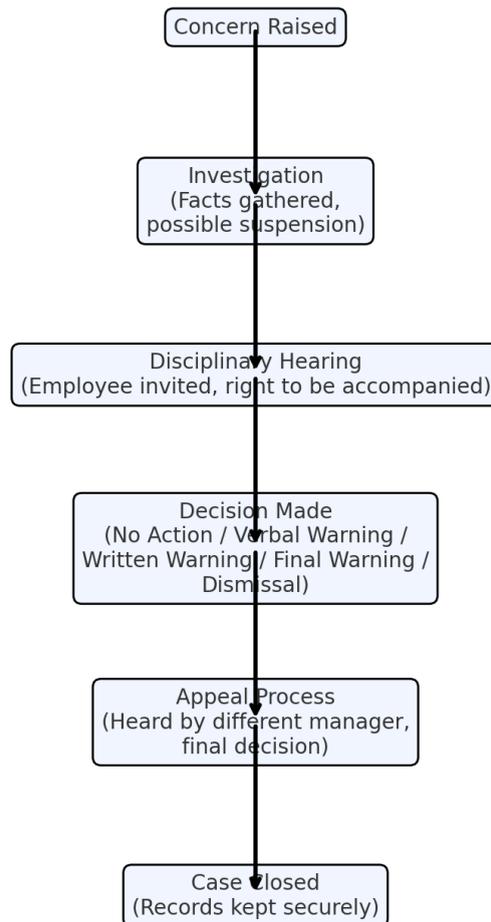
The appeal decision will be final.

7. Records

Written records of disciplinary proceedings will be kept securely in the employee's HR file.

Warnings will be disregarded after the expiry period unless there is an ongoing pattern of misconduct.

Disciplinary Procedure Flowchart



8. Review

This procedure will be reviewed annually or sooner if required by changes in law, ACAS guidance, or CQC standards.

Approved by: _____

Date: _____

