

Fast Track Disciplinary Policy

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Location of Staff applicable to	Applies to all permanently employed staff across the Trust.	Staff groups applicable to	All Staff
Equality, Diversity And Human Right Statement	The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This procedure should be implemented with due regard to this commitment.		
To be read In conjunction with / Associated Documents:	<ul style="list-style-type: none"> ▪ Equality & Diversity Policy ▪ Agenda for change terms & conditions of employment 	Information Classification Label	<input type="checkbox"/> Unclassified
Access to Information	To access this document in another language or format please contact the policy author.		

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2	All	Review of Entire Policy	June 2023
3	All	Templates updated to reflect policy	April 2024

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1. Purpose

The aim of this policy is to provide staff with the option of having disciplinary action managed via a Fast Track process whereby the allegations are not contested. It is intended that by accessing this policy, staff will have disciplinary matters dealt with quickly and alleviate any stress which is associated with difficult and prolonged disciplinary investigations.

The policy will ensure that managers, employees, trade unions and staff organisations are aware of their rights and obligations in matters relating to disciplinary issues categorised as misconduct. Any disciplinary action will be taken in a correct and fair manner throughout the Trust.

2. Scope

This policy applies to all employees of the Trust except for Doctors and Dentists. The policy only applies to cases of misconduct, where dismissal would not be a possible outcome and when the allegations are not contested. For all other cases, managers are required to refer to the Trust's Disciplinary policy.

3. Policy Content

The Trust believes that disciplinary rules and procedures help to promote good employment relations as well as fairness and consistency in the treatment of all individuals.

It is recognised that there are instances of alleged misconduct where dismissal is not an option and where an employee does not wish to contest the allegations. In these situations, these members of staff can opt to have their case dealt with by way of a fast-track process.

4. Principles

- The policy will be used primarily to help and encourage the employee to improve. The policy also ensures that the employee will receive an appropriate sanction when necessary.
- The employee will be informed in writing of the complaint against them and provided with an opportunity to state their case before any decision is reached.

- An employee, who is subject to this policy, has the right to be accompanied by a recognised trade union representative or workplace colleague through all formal stages of the procedure including investigation interviews.
- Disciplinary action will not be taken until the facts of the case have been established and that action is reasonable in the circumstances.
- The employee will be given a written explanation for any disciplinary action taken and this correspondence will outline expected improvement.
- An employee has the right to appeal against any formal disciplinary sanction applied.

All issues will be dealt with thoroughly, consistently, and as promptly as possible

5. Definition of Terms

Misconduct

A breach of the rules of the Trust

Fast Track Disciplinary Hearing

A meeting forum in which disciplinary action may be taken. The fast-track disciplinary hearing will be attended by a neutral Disciplining Authority, the Employee, and their representative only. Under the fast-track process, no witnesses can be called, and no HR representative will be present.

HR Representative

An appropriate level of professional Human Resources advice given the circumstances of each case.

Case Manager

The manager who originally commissions the investigation

Disciplining Authority

Appropriately trained Senior Manager

6. Fast Track Policy Process

6.2 Eligibility

Fast-tracking disciplinary matters that do not constitute gross misconduct is a quicker process than a full disciplinary investigation, but still takes into consideration the seriousness of the allegations. Therefore, if eligible, the Case Manager can offer the employee the opportunity to apply for the fast-track procedure by suggesting that the employee completes the 'Fast Track Request Form' (appendix 5).

Equally a Trade Union Representative, a work colleague supporting the employee, or the employee themselves, may suggest this option.

The fast-track process is not applicable for matters of gross misconduct or where dismissal maybe appropriate. Instead, the fast-track process is only applicable under these circumstances, where staff:

- Accept all the allegations of misconduct put to them by the Case Manager.
- Are willing to explain the circumstances in which the misconduct occurred, including any mitigating circumstances they would wish to be considered.
- Acknowledge what they did was wrong, why, and reassurance that it won't reoccur.
- Does **not already** have a live final warning on file, as another incident of misconduct would constitute the need for an investigation (written warnings that are relevant need to be brought to the attention of the Disciplining Authority so repeated offences can be identified).
- The disciplinary action does **not** also involve other employee(s) being disciplined.

6.3 Fact Finding

The Case Manager must have all the needed facts to conduct an assessment as to whether the disciplinary demonstrated misconduct.

Examples of what can constitute misconduct and what can constitute gross misconduct is detailed in the Disciplinary Policy.

These facts can be deciphered by requesting statements that are then documented within the pre-liminary fact-finding paperwork (appendix 4).

6.4 Procedure

1. The Case Manager can offer the employee the opportunity to apply for the fast-track procedure by suggesting that the employee completes the 'fast track request form' (appendix 5). It is recommended that the employee seeks advice from their Trade Union representative or workplace colleague at this

stage. Managers should also seek advice from their Business HR representative.

2. The employee can then apply for the fast-tracking of the misconduct concern by completing and signing the disciplinary fast-track request form.
3. If a full disciplinary investigation has already commenced the employee may still complete and sign a fast-track request form. In this situation the investigation will be suspended pending a decision.
4. If the Case Manager feels that the fast-track approach is appropriate, they must discuss this with a HR representative within two working days, or as quick as is reasonably possible, of receipt of the fast-track request form.
5. There will only be agreement to proceed if sufficient facts about the case are known. There must be an agreement on the appropriate 'limited sanction(s)'. The employee has three potential sanctions that they must accept, which will be issued by the Case Manager. The potential sanctions are informal resolution and/or counselling, first written warning, or final written warning. There must also be belief that the employee has reflected and learnt from the experience and is unlikely to repeat the misconduct (see 6.2. Eligibility)
6. If there is no agreement to proceed with a fast track, then a formal investigation must be conducted. Please refer to the Trust's Disciplinary Policy in these cases.
7. If the fast-track application is accepted, a formal disciplinary hearing will be replaced with a 'fast-track hearing', unless counselling is agreed to (any counselling will be conducted in the usual manner).
8. The purpose of the fast-track hearing is to decide on the appropriate sanction. The Disciplinary Authority will be able to decide on what would be a reasonable disciplinary sanction considering all the information made available to them during this process.
9. As there will be no need for a formal investigation, an Investigating Officer does not need to be appointed and no report will be produced.
10. If at any time it appears that the allegations of misconduct are disputed, then the fast-track process will be stopped, and a formal investigation commissioned.
11. An employee can opt out of fast-track process at any point, up until the fast-track disciplinary hearing commences.
12. The invitation to the fast-track hearing will be in writing giving a minimum of 5 working days' notice (appendix 7). On receipt of this invitation the employee

has a final opportunity to pull out of the fast-track process and request a full disciplinary hearing. An employee must not suffer any detriment if they choose to proceed with their right to a full disciplinary investigation.

13. The Disciplinary Authority will hear the fast-track hearing. The Disciplinary Authority will not be the manager(s) who have already been involved in the case.
14. The employee would have the right to be represented by a Trade Union representative or a workplace colleague. No witnesses can be called.
15. The Disciplinary Authority will consider the 'statement of admission' and any mitigating evidence presented by the employee.
16. Signed notes of the hearing must be kept by the Disciplinary Authority. These notes will help the Disciplining Authority to produce an outcome letter confirming the decision to the employee.

6.5 Fast Track Hearing Format

1. Introductions of all those present and their roles.
2. The Disciplining Authority outlines the nature of the allegation(s) accepted by the employee and advises that it (they) may result in disciplinary action up to and including the limited sanction.
3. The Disciplining Authority confirms with the employee that they accept the allegations previously stated.
4. The employee or their representative will have the right to put forward any comments or statements relating to the incident (including any mitigation).
5. The Disciplining Authority may wish to question the employee.
6. The Disciplining Authority will adjourn briefly to consider the case. If more information is required to decide on the sanction the hearing may be adjourned to allow a further investigation to take place.
7. The Disciplining Authority will then communicate their decision to the employee and their representative. The penalty will not exceed the previously stated limited sanction but in exceptional circumstances (e.g., the employee denies some of the allegations) the Disciplinary Authority may decide that the matter should be referred for further investigation and/or to a full disciplinary hearing for potentially a higher sanction to be considered.

6.6 Outcomes

8. The Disciplining Authority will send a letter confirming the decision to the employee (appendix 8). The record of any warning will be kept on the personal file.
9. The disciplinary sanction imposed will be given in accordance with the Trusts' disciplinary policy.

6.7 Appeals

Employees have the right to appeal against the decision or if they consider the fast-track hearing to have not been conducted in a fair manner. Any appeal must be in writing, to the Deputy Chief People Officer. The employee must state their grounds for appeal within 14 days of receipt of the letter confirming the original disciplinary sanction.

Any appeal will be heard by an authority higher than that which took the original disciplinary decision, and in any case by an officer with no prior involvement in the case. The decision of the appeal panel is final and will be confirmed in writing.

6.8 Keeping Records

Copies of meeting records must be given to the employee including copies of any formal minutes that may have been taken by management at all meetings and jointly agreed. Completed transcript must be sent to the HR Representative assigned to this case who will retain a copy on file as appropriate.

7. Exceptions

No exceptions

8. Training

Implementation – Training and Resources

The Trust acknowledges the importance of awareness and skills training for managers to ensure the effective implementation of this Policy. Working in partnership, the Business Human Resources Service will provide appropriate support through a variety of means including formal skills training, informal Policy Briefings or Guidance Toolkits

9. Monitoring of compliance

Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan
Annual	Internal Review Commissioned by Workforce Committee	Deputy Director of Workforce	Annual	Workforce Committee	Deputy Chief People Officer

10. Relevant regulations, standards, and references

Relevant Legislation and Guidance

Employment Act 2002
 Trade Union and Labour Relations (Consolidation) Act 1992
 Data Protection Act 1998
 Computer Misuse Act 1990
 ACAS Statutory Code of Practice on Disciplinary and Grievance (2009)

Associated Policies and Guidance Documents

To support effective implementation and understanding the following policies and documents are signposted for additional guidance.

Grievance
 Capability
 Sickness Absence
 Bullying and Harassment
 Internet and Email
 Counter Fraud Policy and Response Plan

Useful Contacts

Business Human Resources
 - Contact your Human Resources Business Partner, Manager or Advisor

Employment
 - Employment@liverpoolft.nhs.uk

11. Equality, diversity, and human right statement

11.1 Equality and Diversity

Fast Track Disciplinary Policy – Version 3 – June 23

The Trust is committed to an environment that promotes equality and embraces diversity in its performance as an employer and service provider. It will adhere to legal and performance requirements and will mainstream equality, diversity and human rights principles through its policies, procedures, and processes. This policy should be implemented with due regard to this commitment.

To ensure that the implementation of this policy does not have an adverse impact in response to the requirements of the Equality Act 2010 this policy has been screened for relevance during the policy development process and a full impact assessment conducted where necessary after appropriate consultation. The Trust will take remedial action when necessary to address any unexpected or unwarranted disparities and monitor workforce and employment practices to ensure that this policy is fairly implemented.

This policy and procedure can be made available in alternative formats on request including large print, braille, moon, audio cassette, and different languages. To arrange this please contact Business Human Resources in the first instance.

The Trust will endeavour to make reasonable adjustments to accommodate any employee with particular equality and diversity requirements in implementing this policy and procedure. This may include accessibility of meeting venues, providing translation, arranging an interpreter to attend meetings, extending policy timeframes to enable translation to be undertaken, or assistance with formulating any written statements.

11.2 Recording and Monitoring of Equality and Diversity

The Trust understands the business case for equality and diversity and will make sure that this is translated into practice. Accordingly, all policies and procedures will be monitored to ensure their effectiveness.

Monitoring information will be collated, analysed, and published on an annual basis as part of our Single Equality and Human Rights scheme. The monitoring will cover all strands of equality legislation and will meet statutory employment duties under race, gender, and disability. Where adverse impact is identified through the monitoring process the Trust will investigate and take corrective action to mitigate and prevent any negative impact. Fast Track Disciplinary Policy, V2, June 23 Page 12 of 44

The information collected for monitoring and reporting purposes will be treated as confidential and it will not be used for any other purpose.

12. Legal requirements

This document meets legal and statutory requirements of the EU General Data Protection Regulation (EU 2016/679) and all subsequent and prevailing legislation. It is consistent with the requirements of the NHS Executive set out in Information

Security Management: NHS Code of Practice (2007) and builds upon the general requirements published by NHS Digital/Connecting for Health (CfH).

13. Appendices

Appendix 1: Equality Impact Assessment

Title	Fast Track Disciplinary
Strategy/Policy/Standard Operating Procedure	Policy
Service change (Inc. organisational change/QEP/ Business case/Project)	
Completed by	
Date Completed	

Description *(provide a short overview of the principle aims/objectives of what is being proposed/changed/introduced and the impact of this to the organisation)*

The aim of this policy is to provide staff with the option of having disciplinary action managed via a Fast Track process whereby the allegations are not contested. It is intended that by accessing this policy, staff will have disciplinary matters dealt with quickly and alleviate any stress which is associated with difficult and prolonged disciplinary investigations.

Who will be affected *(Staff, patients, visitors, wider community including numbers?)*

All Staff (Non-Medical)

The Equality Analysis template should be completed in the following circumstances:

- **Considering developing a new policy, strategy, function/service or project(Inc. organisational change/Business case/ QEP Scheme);**
- **Reviewing or changing an existing policy, strategy, function/service or project (Inc. organisational change/Business case/ QEP Scheme):**
 - If no or minor changes are made to any of the above and an EIA has already been completed then a further EIA is not required and the EIA review date should be set at the date for the next policy review;
 - If no or minor changes are made to any of the above and an EIA has NOT previously been completed then a new EIA is required;
 - Where significant changes have been made that do affect the implementation or process then a new EIA is required.

Please note the results of this Equality Analysis will be published on the Trust website in accordance with the Equality Act 2010 duties for public sector organisations

Section 1 should be completed to analyse whether any aspect of your paper/policy has any impact (positive, negative or neutral) on groups from any of the protected characteristics listed below.

When considering any potential impact you should use available data to inform your analysis such as PALS/Complaints data, Patient or Staff satisfaction surveys, staff numbers and demographics, local consultations or direct engagement activity. You should also consult available published research to support your analysis.

Section 1 – Initial analysis

Equality Group	Any potential impact? Positive, negative or neutral	Evidence <i>(For any positive or negative impact please provide a short commentary on how you have reached this conclusion)</i>
Age <i>(Consider any benefits or opportunities to advance equality as well as barriers across age ranges. This can include safeguarding, consent, care of the elderly and child welfare)</i>	Neutral	
Disability <i>(Consider any benefits or opportunities to advance equality as well as impact on attitudinal, physical and social barriers)</i>	Neutral	
Gender Reassignment <i>(Consider any benefits or opportunities to advance equality as well as any impact on transgender or transsexual people. This can include issues relating to privacy of data)</i>	Neutral	
Marriage & Civil Partnership <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on same sex couples)</i>	Neutral	
Pregnancy & Maternity <i>(Consider any benefits or opportunities to advance equality as well as impact on working arrangements, part time or flexible working)</i>	Neutral	
Race <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on ethnic groups including language)</i>	Neutral	
Religion or belief <i>(Consider any benefits or opportunities to advance equality as well as any barriers affecting people of different religions, belief or no belief)</i>	Neutral	
Sex	Neutral	

<i>(Consider any benefits or opportunities to advance equality as well as any barriers relating to men and women e.g.: same sex accommodation)</i>		
Sexual Orientation <i>(Consider any benefits or opportunities to advance equality as well as barriers affecting heterosexual people as well as Lesbian, Gay or Bisexual)</i>	Neutral	

If you have identified any **positive** or **neutral** impact then no further action is required, you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

If you have identified any **negative** impact you should consider whether you can make any changes immediately to minimise any risk. This should be clearly documented on your paper cover sheet/Project Initiation Documents/Business case/policy document detailing what the negative impact is and what changes have been or can be made.

If you have identified any negative impact that has a high risk of adversely affecting any groups defined as having a protected characteristic then please continue to section 2.

Section 2 – Full analysis

If you have identified that there are potentially detrimental effects on certain protected groups, you need to consult with staff, representative bodies, local interest groups and customers that belong to these groups to analyse the effect of this impact and how it can be negated or minimised. There may also be published information available which will help with your analysis.

Is what you are proposing subject to the requirements of the Code of Practice on Consultation?	Y/N
Is what you are proposing subject to the requirements of the Trust's Workforce Change Policy?	Y/N
Who and how have you engaged to gather evidence to complete your full analysis? (List)	
What are the main outcomes of your engagement activity?	

What is your overall analysis based on your engagement activity?

Section 3 – Action Plan

You should detail any actions arising from your full analysis in the following table; all actions should be added to the Risk Register for monitoring.

Action required	Lead name	Target date for completion	How will you measure outcomes

Following completion of the full analysis you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

Section 4 – Organisation Sign Off

Name and Designation	Signature	Date
Individual who reviewed the Analysis		
Chair of Board/Group approving/rejecting proposal		
Individual recording EA on central record		

Appendix 2: Roles and Responsibilities

Role	Responsibility
Chief People Officer	<p>The Chief People Officer is responsible for ensuring that an appropriate Disciplinary policy and procedure is in place, which promotes good employment relations.</p> <p>The Chief People Officer is also responsible for ensuring that managers are supported in the implementation of the policy and procedure and that it is reviewed and monitored regularly.</p>
Managers	<p>In addition to their responsibilities under the Code of Conduct for NHS managers, line managers will not take any formal disciplinary action before first notifying a Human Resources representative, and advising the employee of their right to be accompanied at any formal disciplinary meeting.</p>
Staff	<p>All employees are required to comply with the working practices and policies within the Trust</p>
Business Resources	<p>Human</p> <p>Business Human Resources have the responsibility to monitor the implementation of the policy and to ensure that procedures are managed fairly and consistently across the Trust. Business Human Resources will provide guidance and support to line managers on the operation of this policy at all stages.</p>

Appendix 3: Pre-liminary Fact-finding Paperwork

This checklist must be completed by the Line Manager BEFORE making a referral to the authorising Senior Manager to make a decision to commence a formal disciplinary investigation:

Care Group/Specialty/Department:		Your Name:	
Date alleged incident took place:		Date you were made aware:	
Brief description of alleged incident:			
Outcome of discussion with HR:			
Senior Managers Comments:			
Senior Manager Approval:		Name: Signature: Date:	

	Indicator	Tick applicable answer	Considerations and further information
INFORMAL ACTION	Have you previously had informal discussions with the member of staff about this issue or similar issues in the same way you would with any other employee?	Yes Not Sure No	The Trust's Disciplinary Policy emphasises conversations of concern and an opportunity for informal action to bring about improvement and learning; as opposed to punishment
HARM AND/OR DAMAGE CAUSED	Did the individual actions result in harm or damage?	Yes Not Sure No	If Yes or Not Sure commence a preliminary investigation to establish facts
	Did the individual knowingly breach known rules, safe operating procedure and/or breach Trust values and behaviours?	Yes Not Sure No	If Yes evidence the professional body and/or Trust rules, Trust Values and Behaviours that were breached
	Is there evidence the employee took an unacceptable risk?	Yes No	If Yes provide a brief summary of the evidence:
CAPACITY	Did mental or physical ill health contribute to the alleged incident?	Yes Not Sure No	If Yes underlying health conditions should be taken into consideration when deciding the next step. OH can provide guidance on the likelihood of any medical condition contributing to or impacting an incident If you're Not Sure then a discussion should take

			place with the individual and then a referral to OH for further advice
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	Indicator	Tick applicable answer	Considerations and further information
CAPACITY (continued)	Have you considered other mitigating circumstances e.g. home/family etc?	Yes No	Discuss with the employee if there are any circumstances with may have impacted upon performance or decision making
	Was the employee under the influence of a substance and/or is there a history of known substance abuse?	Yes No	If Yes seek further guidance from HR and OH. Consult the policy on substance misuse.
SKILLS AND KNOWLEDGE	Is there a protocol / procedure / policy that refers to the expected standard of behaviour / conduct?	Yes No	If Yes please detail protocol / procedure / policy. Is the protocol / procedure / policy clear? If No , should there be one to provide staff with the applicable framework for expected standards of behaviour and care?
	Have you reviewed the member of staff's skills and competency and determined if they knew of the rules or performance standard. Does the individual have the knowledge and skills?	Yes No	If it's evident the individual did not have the knowledge / skills or awareness
	Does the member of staff have the knowledge	Yes	If the member of staff knows how to and can in practice, but isn't then

	and skills, but did not apply this?	No	continue with formal investigation
	Would you expect a different member of staff in a similar role / position with similar experience to act in a similar manner?	Yes No	
	Indicator	Tick applicable answer	Considerations and further information
Comparator	As the manager how well have you read and reacted to the situation?	Proportionately Disproportionately	Consider whether unconscious bias contributed to your decision. Unconscious bias can often show up as micro-behaviours (the little things that we say and do that show how we regard those around us)
	Have you created the right relationship with the employee?	Yes No	
	Is the action you're considering consistent with how other employees within your team have been treated for the same or similar misconduct or action?	Yes No	If No why have you chosen to consider disciplinary action on this occasion? Provide explanation: By carrying out an investigation for disciplinary action against this employee you need to ensure this action is consistent with how other employees have been treated for the same or similar misconduct / action.

Appendix 4: Disciplinary Fast Track Request Form

Disciplinary Fast Track Request Form

To be completed by an employee faced with allegation(s) of misconduct which they fully accept. This form must not be completed if the allegation(s) could be considered to be one(s) amounting to potential gross misconduct or where the employee has a live final written warning on their file at the time the alleged misconduct took place.

It is strongly advised that you should read fast track section of the Trust's Disciplinary Policy and Procedure and seek advice from a trade union representative or work colleague before completing this form.

If this request is accepted there will be no in-depth investigation process (subject to sufficient facts being known) and a foreshortened less formal disciplinary process will be enacted with the objective of reducing the stress on all those concerned.

Name _____

Department _____

Immediate Line Manager _____

Current Disciplinary Record (live warnings only) None/First Written Warning/Final Written Warning **(Delete as applicable)**

Please detail the allegation(s) of misconduct that you understand your manager is making against you and that you are fully accepting *(NB please seek clarification from your line manager before completing this section)*

Are there any allegation(s) that you are not accepting Yes/No *(delete as applicable)*
(NB if the answer to this question is 'Yes' your request cannot be accepted)

Please provide a full explanation of the incident(s) that led to these allegations of misconduct (you can detail this on a separate attached sheet if you wish)

Please detail the lessons you have learnt from this situation and your intentions for the future

Please continue on a separate attached sheet if necessary

Please provide details of any mitigation you would wish to be considered

Please continue on a separate attached sheet if necessary

NB You are advised to seek clarification from your line manager regarding the sanctions being considered and advice from a trade union representative or a work colleague before completing this section.

I confirm my acceptance of the allegation(s) of misconduct against me and am making this request for my case to be considered under the fast-track disciplinary process on the strict understanding that I would accept up to and including a Final Written Warning.

I understand that in the event that my request is declined the information contained in this form can be used any formal disciplinary investigation process instigated.

Signed _____

Date _____

Appendix 5: Disciplinary Fast Track Hearing Transcript

Disciplinary Fast Track Hearing Transcript

All fields of the Fast Track Request form MUST be completed prior to the Hearing.

Name of Employee _____

Department _____

To be completed during the hearing:

Date of Hearing _____ Location of Hearing _____

Disciplining Authority _____

HR Representative (if applicable) _____

Employee Representative _____

Allegation(s) admitted:

Confirm that the above allegation(s) were accepted by the employee and that they confirmed that they understood the hearing may result in disciplinary action up to and including a final written warning.

Yes/No (delete as applicable)

Detail any comments or statements relating to the incident including any mitigation put forward the employee or their representative at the hearing.

Detail, on reflection, what has been learnt from this incident and how will it be prevented from happening again?

ADJOURNMENT

Outcome:

No sanction issued

Informal Counselling

First Written Warning

Final Written Warning

Please detail any other outcomes or recommendations (e.g. further support or training):

Disciplinary Authority Signature _____ Date _____

Please share copy of completed transcript with employee and your HR Representative who will retain a copy on file as appropriate.

Appendix 6: Fast Track Invite Letter

Private & Confidential

<Name>
<Address line 1>
<Address line 2>
<City>
<Postcode>

<Date>

Dear <Name>

Royal Liverpool Hospital
Prescot Street
Liverpool
L7 8XP
Tel: 0151 706 2000

Aintree University Hospital
Longmoor Lane
Liverpool
L9 7AL
Tel: 0151 525 5980

Re: Fast Track Disciplinary Hearing

I am writing regarding your Disciplinary Fast Track Request Form / notification requesting the allegations of misconduct to be investigated in line with the Trust Fast Track Disciplinary policy, dated **(INSERT DATE)**. I write to inform you that your request has been accepted by your line manager. Therefore you should attend a Fast Track Disciplinary Hearing with me to consider the following allegation(s) of misconduct the basis of which you signed as accepting on your form (copy enclosed):

-
-

This hearing will be conducted under the Fast Track Process of Trust's Disciplinary Policy and Procedure (copy enclosed). The purpose will be to decide on the appropriate disciplinary sanction.

Detailed below are the arrangements for this meeting

Location:
Date:
Time:

You have a right to be accompanied at this hearing by a union representative or work based colleague, it is your responsibility to organise this support. I would be grateful if you could inform me if you are to be accompanied prior to the day of the hearing. A representative from HR will also be present.

Under the Fast Track Process only witnesses relevant to the sanction can be called.

You should be aware that the outcome of this hearing could be that you receive a sanction up to and including a final written warning.

You should be aware that you received a first written on [insert date] which will be taken into account. (Delete if not applicable)

You now have a final opportunity to decline the offer of the fast track process and request a full investigation and disciplinary hearing. If you elect to take this course of action you should inform us prior to the day of the hearing by emailing **(INSERT HR REPRESENTATIVE CONTACT DETAILS)**, You will not suffer any detriment if you choose to proceed with your right to a full disciplinary hearing.

If you have any queries in advance of the hearing please contact me.

Yours sincerely

<Name>
<Job title>
<contact number>

Appendix 7: Fast Track Disciplinary Hearing Outcome Letter

Private & Confidential

<Name>
<Address line 1>
<Address line 2>
<City>
<Postcode>

<Date>

Royal Liverpool Hospital
Prescot Street
Liverpool
L7 8XP
Tel: 0151 706 2000

Aintree University Hospital
Longmoor Lane
Liverpool
L9 7AL
Tel: 0151 525 5980

Dear <Name>

Re: Fast-Track Disciplinary Hearing Outcome Letter

I refer to your Disciplinary Hearing held under the Trust's Fast Track Disciplinary Policy which you attended on **(Insert Date)**. You were accompanied by **NAME**, **OR** You were not accompanied at this meeting, although you confirmed that you had been informed of your right to be accompanied **(delete as appropriate)**.

I chaired the hearing **(if applicable)** supported by **(Insert Name)**, HR representative. The hearing was conducted in accordance with the Trust Fast Track Disciplinary Policy and the allegations were as follows:



I can confirm that after considering all the evidence presented and listening to the case put forward by you, including any mitigating circumstances, I found that, by your own admission, the allegations were proven.

I would therefore confirm that I issued you with a **[First Written Warning / Final warning]**. This will remain live on your file for a period of 12 months from the date of the meeting today. Should another instance of misconduct occur during this period it could lead to further disciplinary action being taken against you.

You have the right to appeal against my decision within 14 calendar days of the date of this letter. Please send any appeal letter to the Senior Manager of at the Trust who will ensure that your appeal is processed in line with the policy.

Yours sincerely

<Name>
<Job title>
<contact number>

Appendix 8: Management Authority to Issue Disciplinary Sanctions

<u>Staff Group</u>	<u>First Written Warning</u>	<u>Final Written Warning</u>	<u>Dismissal</u>
Chief Executive	Trust Chairman	Trust Chairman	Trust Chairman with Non-Executive Members
Directors	Chief Executive	Chief Executive	Chief Executive with Trust Chairman/Non Executive Members
Clinical Directors	Chief Executive	Chief Executive	Chief Executive with Trust Chairman/Non Executive Members
Consultant Medical and Dental Staff	Chief Executive	Chief Executive	Chief Executive with Trust Chairman/Non Executive Members
Other staff directly reporting to Chief Executive	Chief Executive	Chief Executive	Chief Executive/Trust Chairman
Staff directly reporting to: Directors Clinical Directors Professional Advisers	The appropriate: Director Clinical Director Professional Adviser	The appropriate: Director Clinical Director Professional Adviser	Chief Executive with the appropriate: Director Clinical Director Professional Adviser
All other staff	Appropriately trained Line Manager	Next Level Manager	The appropriate: Director/Deputy Clinical Director Professional Adviser/Deputy Head of Department/Deputy Directorate Manager/Deputy

Appendix 9: Monitoring Information

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individual/group/committee	Frequency of monitoring	Responsible individual/group/committee for review of results	Responsible individual/group/committee for development of action plan	Responsible individual/group/committee for monitoring of action plan and Implementation
a. duties	Policy content checked as part of regular policy review process.	HR Policy Group	Every 2 years or earlier if needed	Risk Management Sub Committee	Business HR	Risk Management Sub Committee
b. statement by the organisation that harassment and/or bullying is not acceptable	Policy content checked as part of regular policy review process.	HR Policy Group	Every 2 years or earlier if needed	Risk Management Sub Committee	Business HR	Risk Management Sub Committee
c. process for raising concerns about harassment and/or bullying	Review case management log and confidential monitoring forms	HR Managers	Quarterly	Risk Management Sub Committee	Business HR	Risk Management Sub Committee
d. process to be followed once a concern has been raised	Case management log	Business HR	Quarterly	Risk Management Sub Committee	Business HR	Risk Management Sub Committee
e. organisations expectations in relation to staff training, as identified in the training needs analysis	Monitoring attendance	Learning Department	Monthly	Risk Management Sub Committee	Deputy Director for Organisational Development	Risk Management Sub Committee

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