



## POLICY/PROCEDURE: Staff Disciplinary Proceedings

### Policy Statement

CatholicCare NT is committed to fair and just process with respect to the issuing of formal disciplinary proceedings. Any such proceedings will be undertaken only following appropriate and thorough consideration of all relevant issues and in consideration of the subject employee's expression of circumstance. Any such proceedings will be undertaken with confidentiality and the employee will be advised of all relevant issues.

A formal discipline could be issued in the following circumstances:

- substantiated misconduct including:
  - repeated or serious misbehaviour, actions or infringement of policy, procedure or Code of Conduct

### Procedure

#### 1. Responsibility

- 1.1 The relevant Team Leader or Manager is responsible for conducting regular supervision and review of quarterly work plans with the employee.
- 1.2 The Team Leader/Manager must advise the relevant General Manager of any pending disciplinary action on an employee.
- 1.3 The employee subject to a disciplinary action is to be informed that they may bring a support person to all meetings at each stage of proceedings.

#### 2. Disciplinary Proceedings

##### 2.1 First Step

1. Team Leader/Manager will verbally discuss the issue/s with the employee, clearly identifying dates of behaviour/s, actions or infringement/s (e.g. not following correct procedure when having unauthorised absence, calling in to notify sickness, completing leave forms, etc.)
2. Proceedings will advise a clear timeline for improvement.
3. If there is no improvement, the matter will proceed to the second step.

(After the conversation, Team Leader/Manager to follow up with an email to the employee to detail the points discussed. Provide a copy of email to Human Resources/General Manager.)

##### 2.2 Second Step

If employee shows no improvement and you have documented dates/times of behaviours, actions or infringement:

1. Advise HR Manager and provide supporting documentation.
2. HR Manager will provide a written warning letter that will be scanned to Team Leader/Manager for signing and presented to employee.

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This letter will clearly state:

- dates/times of behaviours, actions or infringement
- timeline for improvement
- next action that will be taken if breach occurs again, which may be termination of employment

### 2.3 Third Step

If breach occurs again, the Team Leader/Manager will discuss with the General Manager and present the evidence for dismissal.

1. Advise HR Manager and provide supporting documentation.
2. Set a meeting time with the employee.
3. HR Manager will draw up final written warning letter. This will be approved by the Director then scanned to Team Leader/Manager for presentation to the employee at the pre-arranged meeting.
4. Ensure that the Team Leader/Manager delegated to conduct the dismissal has a responsible member of staff present to act as a witness.

This letter will clearly state:

- dates/times of behaviours, actions or infringement
- clarify disciplinary processes that have been followed
- termination date

## 4. Serious Misconduct

Where there are allegations or incidences of wilful misconduct, the employee may be suspended on full pay pending investigation into the allegation. Any decisions regarding suspension of an employee will need to be discussed with HR, General Manager and the Director. At the completion of the investigation, the employee may be dismissed; any decision to terminate an employee's employment must be discussed with and approved by the Director.

## References

### Legislation

- Fair Work Act 2009

### Associated Documents

This document should be read in conjunction with these policies and procedures:

- CCNT Guidelines: Code of Conduct (ORG/HR/G001)
- CCNT Policy/Procedure: Allegations of Misconduct (ORG/HR/P017)
- CCNT Policy/Procedure: Performance Management (ORG/HR/P016)
- CCNT Policy/Procedure: Sexual Harassment & Victimisation (ORG/HR/P028)
- CCNT Policy/Procedure: Bullying Behaviour (ORG/HR/P029)
- CCNT Policy/Procedure: Harassment (ORG/HR/P030)
- CCNT Policy/Procedure: Supervision (ORG/SP/P028)

## Links

### Fair Work Act 2009

[http://www.austlii.edu.au/au/legis/cth/num\\_act/fwa2009114/](http://www.austlii.edu.au/au/legis/cth/num_act/fwa2009114/)

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