

Appendix D

Notes on Management of Risk

By the very nature of a disciplinary process any assessment of risk which is undertaken will be dynamic, i.e. it is unlikely to be completed or evaluated until the meeting is being held. These advice notes should be considered in relation to all employees and witnesses involved in a disciplinary hearing or investigation.

An exception would be if the person concerned was on sick leave, in which case HR would liaise with Occupational Health for advice. This would similarly apply if the employee is still in work but has been referred to Occupational Health.

HR will always consider the points below, and evaluate each one according to the individual case:

- Consider whether there is a risk to any individual involved, either emotional or physical.
- Offer and discuss Employee Assistance Programme support and/or Counselling.
- Offer a recess or comfort break as appropriate, including drinks, fresh air etc. Keep this in mind throughout all meetings and offer on a regular basis.
- If necessary ask how the person concerned will get back to their office, consider if they need to be accompanied, if they are driving, ascertain that they feel comfortable and are safe to drive, if not offer support or a lift.
- If an employee is suspended or off work, assess their fitness to return home particularly if they live alone.
- If the employee is suspended, ascertain if they are driving home, assess their fitness to drive/offer assistance as necessary.
- If it is consider that an employee or witness is in a distressed state, ask a colleague trained in mental first aid to assess their state of mind.

If there is a clinical diagnosis or report available BEFORE the onset of the meeting/s then Occupational Health or GP reports need to be accessed and acted upon. If these reports are not evident prior to the disciplinary process then follow guidelines as above.

ER CASE WORK - GENERIC ASSESSMENT

APPLICABLE TO: ALL EMPLOYEES

ASSESSOR: H HINKIN

RISK CALCULATOR

<i>Risk rating</i>	<i>Probability</i>	<i>Risk</i>
1 = Minor	1 = Unlikely	1 to 3 = Low
2 = Serious	2 = Possible	4 to 6 = Medium
3 = Major	3 = Probable	7 to 9 = High

NO.	HAZARD	TO WHOM	RISK RATING	PROBABILITY	RISK	CONTROL MEASURES
1	Suspension	Employee	1	2	Low	Reasons for decision to be provided. Support offered by way of counselling and OH services. Confidentiality of process. Build review of decision into procedure. Support offered by employee/TU representative
2	RTW following suspension	Employee/ Others involved e.g. Witnesses/ Line manager	1	2	Low	Confidentiality of process. Involve employee and representative. Communicate to staff if ongoing process
3	Child protection allegations	Employee/ Others involved e.g. Witnesses/ Line manager	3	3	High	Involve appropriate external agencies. Liaise with Comms Team. Stress to all involved confidentiality of process. TU involvement, support via counselling and OH services.
4	Press Coverage	Employee/ Co-Workers/ Witnesses/ Employer	1	2	Low	Confidentiality of process. Advise employee and representative of any coverage. Communicate to staff if ongoing process. Offer support from HR. Consider staff updates. Advise EAP provider so that tailored support can be available.
5	Malicious allegations	Complainant and Employee	1	2	Low	Stress in policy framework what action can be taken against malicious complainants. Support for Employee via Counselling and OH. Mediation or facilitation post complaint being offered to the parties.
6	Psychological impact during process	Employee	1	2	Low	Reasons for decision to be provided. Support offered by way of counselling and OH services. Confidentiality of process. Ensure process is followed. Support offered by employee/TU representative. Keep employee updated on progress. Based on OH advice, consider tailoring process e.g. accommodating written submissions, adjusting work load/environment etc.

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7	Psychological impact post process	Employee/ Co-Workers/ Witnesses/ Employer/ Investigating Officer	1	2	Low	Support via OH and counselling. Mediation/facilitation of first meet. Confidentiality of process stressed to those involved. Clarity given that outcomes are not communicated in detail. Ensure any training or support required is put in place and monitored.
8	Impact on physical health or wellbeing during process	Employee/ Co-workers/ witnesses/ employer/ Investigating Officer	1	2	Low	Support via OH and counselling. Mediation/facilitation of first meet. Confidentiality of process stressed to those involved. Clarity given that outcomes are not communicated in detail. Ensure any training or support required is put in place and monitored.
8	Complaints against colleagues	Complainant and accused/ line manager	1	2	Low	Support and clarity concerning process to be followed. Confidentiality of process and roles of the parties explained. Consider separation of parties/mediation/informal approach to resolve. Offer support via OH and counselling
9	Sickness during process	Employee/ Witness	1	2	Low	Seek advice from OH regarding continuation, adjustments to process or whether process needs to be delayed or continued in their absence
10	Sickness during process	Investigating Officer	1	1	Low	Consider whether new IO should be appointed based on likely duration of absence versus stage of completion. Involve OH as appropriate.
11	Resignation during process of employee under investigation	Complainant/ Line Manager	1	1	Low	Communicate that process ends due to resignation - unilateral act. Offer support via counselling service.