

NOTIFICATION OF DISCIPLINARY HEARING LETTER

You will need to amend/remove all red text in this document.
Do not forget to print this letter on a company letterhead or add the company logo.
Use the employees last known address on this letter.
Keep a signed copy of this letter on the employees H.R. file.

Dear **Name of employee**,

RE: NOTIFICATION OF DISCIPLINARY HEARING

Please be aware that as a result of **(a) complaint(s)/allegation(s)** being made against you by **name of complainant**, we have taken the decision to progress the matter to a disciplinary hearing.

An investigation into the full facts surrounding the **complaint(s)/allegation(s)** against you was completed on **date** by **name**.

The investigational findings have been scrutinised, and as a result we feel we have been left with no other option but to initiate a disciplinary hearing in accordance with our company procedures and relevant legislation.

You are therefore invited to attend a disciplinary hearing on **date** at **time** at **location**. This gives you reasonable time to prepare your case. You have the statutory right to be accompanied at the disciplinary hearing by either a work colleague or a trade union official of your own choosing. Your companion will be permitted to speak during the hearing and to confer with you throughout, however they will not be permitted to answer questions on your behalf. You should inform the chair of the hearing of the identity of your chosen companion in advance of the hearing taking place.

When responding to the allegations placed before you at the hearing, you will be permitted to ask questions, dispute any evidence, provide evidence of your own, and raise any relevant mitigating factors. Due consideration will be given to your response(s) when considering if any disciplinary sanctions are to be imposed.

You are entitled to submit a written statement in your defence for consideration in advance of the hearing. If you intend to do this, please do so by no later than **Date** and forward your statement to **Name**.

During the hearing you will be expected to provide your defence and response to the following allegations:

List in numerical order each complaint or allegation which led rise to the hearing. Add any complaint which could constitute gross misconduct at the end of the list of allegations. For example:

1. It was highlighted that on 5th May 2019, you failed to follow report to work at the contracted time.
2. You failed under your contractual duties to inform us of your absence.
3. As a result of your conduct, the above led to a financial loss to the business.

The allegations highlighted above, if proven, may constitute gross misconduct offences. If proven, the allegations may lead to a fundamental breach of mutual trust and confidence.

Copies of the following documents are enclosed by way of evidence for your attention:

- List copies of all signed and dated witness statements, plus any further supporting documentary evidence that the company intends to produce and rely upon at the hearing.

These documents form the basis of the **complaint(s)/allegation(s)** made against you, and will be relied upon as supporting evidence for the company.

The disciplinary hearing will be chaired by **Name of someone other than the investigator**, and **Name** will also attend the hearing to take attendance notes.

A copy of the Company's disciplinary procedure **Is available upon request/can be found within the Company Handbook.**

Select a feasible option from the following:

Where the employee is likely to be issued with a first verbal or written warning: You should be aware that the outcome of this disciplinary hearing could result in you being issued with a formal disciplinary warning in accordance with the Company's disciplinary procedure.

Where the employee already has an active final written warning on file: As you already have an active final written warning on your H.R. file, you should be aware that the outcome of this disciplinary hearing could result in your immediate dismissal from employment with this company in accordance with the Company's disciplinary procedure.

Where the hearing is likely to constitute gross misconduct: Owing to the fact the Company deems the allegations made against you as tantamount to gross misconduct offences, you should be aware that the outcome of this disciplinary hearing could result in dismissal you're your employment with this company in accordance with the Company's disciplinary procedure.

If you or your chosen companion is unable to attend this disciplinary hearing, you are asked to contact **Name of hearing Chairperson** immediately so that a convenient date and time can be re-scheduled.

You should take all reasonable steps to attend the hearing. Failure to attend without good reason could result in the hearing being held in your absence and a decision being taken without your defence.

Within 7 days of the disciplinary hearing, you will be informed of the Company's decision in writing.

You have the statutory right to appeal any decision made by the company. Should this be the case, you should follow the Company Disciplinary Appeal Procedure (which is available upon request/available within the Company handbook).

Should you have any questions with regards to the above then please do not hesitate to contact me.

Yours sincerely,

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Print name (This should be signed by the person who conducted the investigation)
Company name