



Fair disciplinary procedure checklist for line managers



Disciplinary situations are one of the most common - and highest-risk - areas for line managers.

The good news is that getting it right isn't about being harsh or soft. It's about being fair, consistent, and following the right steps.

This checklist is here to help you do exactly that.

Step 1: Pause - don't react in the moment

When a concern is brought to your attention, stop and take a breath. Don't act on it straight away.

Avoid making any decisions based on instinct, frustration, or hearsay at this stage.

Note down the concern that's been raised - what it is, when it happened and who raised it.

Check your company's disciplinary policy before going any further. It'll tell you what steps you need to follow.

Involve HR if: you're unsure whether the concern is serious enough to pursue, or you need guidance on what your policy requires.

Why this matters: a knee-jerk decision made early in the process can undermine the fairness of everything that follows.

Step 2: Gather your evidence for the disciplinary process

Identify what evidence is available - this could include emails, letters, relevant records, CCTV footage or witness accounts.

Note the dates and times of any alleged incidents.

Check whether your company policy requires a separate investigation meeting with the employee. If it does, arrange one so they can give their version of events.

Involve HR if: the investigation feels complex, involves multiple people, or the alleged conduct could be linked to a protected characteristic such as disability.

Why this matters: To justify any disciplinary action, you'll need to show you had a reasonable belief - based on evidence - that the issue occurred.

Step 3: Decide whether there's a case to answer

Review all the evidence you've gathered.

Ask yourself honestly: is there enough here to suggest the allegation needs to be taken further?

If yes, move to Step 4. If no, make a note of your decision and why, and let the employee know in writing.

Involve HR if: you're unsure or the situation feels borderline.

Step 4: Invite the employee to a disciplinary hearing

Confirm with HR that there's a case to answer before issuing an invite for a disciplinary hearing.

Work with HR to write and send a written invite letter to the employee which gives them enough notice for them to prepare. You may have an approved template in your business for this. If not, you can find a template here.

Make sure the invite includes: a clear explanation of the concerns, the evidence you'll be referring to, and the potential outcome if the allegations are upheld.

Remind the employee of their right to be accompanied by a trade union representative or a colleague.

HR's role: HR will typically draft or review the invite letter. The hearing should be chaired by someone who hasn't been involved in the investigation - HR can help identify the right person.

Step 5: Take part in the disciplinary hearing

Present the concerns and evidence clearly to the employee at the start of the meeting.

Give them a genuine opportunity to respond to the evidence and share their version of events.

Take careful notes throughout - or have a note-taker present.

Don't make a decision in the room. Take time to consider everything you've heard.

HR's role: HR will often be present to support the process, take notes or advise. The decision itself shouldn't be made by you alone - discuss it with HR before communicating any outcome.

Step 6: Reach a decision on the disciplinary matter

Weigh up the evidence and the employee's response.

Work with HR to decide whether the allegations are upheld - and if so, what the appropriate outcome is (e.g. a verbal warning, written warning, final written warning, or no further action).

Work with HR to write and send a letter that confirms the outcome in writing to the employee, explaining clearly how you reached your decision. Again, you may have an approved template in your business for this. If not, you can find a template [here](#).

Make sure you're treating this case consistently with how similar cases have been handled before - unless there are genuine reasons to do otherwise.

HR's role: HR will usually draft the outcome letter, confirm the appropriate sanction (verbal warning, written warning, final written warning or no further action) and make sure the reasoning is documented clearly. Don't send anything in writing to the employee without HR sign-off.

Step 7: Make sure the right of appeal is offered

Where the outcome includes any disciplinary sanction, the employee must be given the right to appeal. Check that your employee knows how to appeal, including who to contact and within what timeframe.

HR's role: HR will include the right of appeal in the outcome letter and manage the appeal process - including identifying who should hear it.

Step 8: Keep your records

Throughout the whole process, make sure you've kept a record of:

The original concern raised

Evidence gathered during the investigation

Notes from all meetings you were part of

Any correspondence you were involved in sending or receiving

HR's role: HR should hold the formal disciplinary file, including invite letters, outcome letters and appeal records.

Good documentation protects both you and the employee if anything is ever questioned down the line.

If your organisation uses an HR software system like [Breathe](#), you can store employee documents and track absence all inside the platform – so everything's in one place when you need it.

When to stop and get HR involved immediately in disciplinary action

Don't wait - go straight to HR if:

Dismissal could be a possible outcome

The issue feels particularly serious or complex

The conduct in question may be connected to a disability or other protected characteristic

This checklist is a practical guide to help you follow a fair process - it's not a substitute for your company's own disciplinary policy or professional legal advice. Don't have an internal HR expert? Speak to a [trusted HR consultant from the Breathe Partner Programme](#).

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