

WORKPLACE STANDARDS BRIEF

Disciplinary outcomes: practical sequence

What sound decision-making and documentation look like before, during and after a disciplinary outcome.

BRIEF

September 2026

How to use it

Work through the prompts in order, record only what is needed, and adapt the steps to your policy, the facts and the people involved.

This document is a general guide and practical aid only. It is not legal advice and should not be relied on as a substitute for advice about a specific situation. Check current law, official guidance, contracts, policies and collective arrangements before acting.

1. Decide only after a fair process

An outcome should follow the evidence and hearing - it should not be selected in advance.

- ☐ Confirm the allegation or performance concern considered and the applicable rule or standard.
- ☐ Check that the investigation was reasonable and the employee had the information needed to respond.
- ☐ Consider the employee's explanation, evidence, mitigation and any companion's contribution.
- ☐ Test consistency against genuinely similar cases without treating precedent as automatic.
- ☐ Consider length of service, record, role, training, clarity of expectations and any relevant adjustments.
- ☐ Identify conflicts, bias, equality impacts and whether more information is needed.
- ☐ Use a decision-maker with authority under the policy, particularly for dismissal.

The decision test

Can a reader understand what was found, what evidence supported it, what contrary evidence was considered, why the outcome is proportionate and how the employee can appeal?

Standard of decision-making

Workplace disciplinary decisions are not criminal trials. Apply the organisation's policy and the civil standard usually used in employment processes: decide what is more likely than not, after a reasonable investigation and fair opportunity to respond.

2. The practical outcome sequence

Outcome	When it may fit	Documentation essentials
No action	Misconduct or performance issue is not established, or formal action is not justified.	Confirm closure, restore working arrangements and retain a proportionate process record.
Informal conversation	A minor issue is established and coaching or clarification is proportionate.	Private note of expectation, support and review; do not mislabel it as a formal warning.
First written warning	Misconduct or poor performance is established and formal improvement is required.	Issue, required change, support, review timescale, warning duration, consequence and appeal.
Final written warning	Further issue during a live warning, or sufficiently serious first offence short of dismissal.	Why escalation is fair, required change, support, duration, dismissal risk and appeal.
Other sanction	A contractual alternative such as demotion may be reasonable.	Confirm contractual authority or agreement; discuss fully; record terms, impact and appeal.
Dismissal	Gross misconduct after a fair process, or further issue where dismissal is the only fair and reasonable option.	Reason, findings, termination date, notice position, final arrangements and appeal.

Never automatic Labels such as 'gross misconduct' in a policy do not remove the need to investigate, hear the employee and decide whether dismissal is reasonable in the actual circumstances.

3. Proportionality and consistency

Use the same headings for every decision so the reasoning is visible.

Factor	Question to record
Finding	Which allegation(s) are upheld, not upheld or partly upheld, and why?
Seriousness	What actual or potential impact followed? Was trust, safety or compliance affected?
Intent and context	Was the act deliberate, reckless, mistaken, repeated or influenced by unclear instruction?
Mitigation	What explanation, personal context, admission, remorse, repair or insight is relevant?
Expectations	Was the rule clear, trained, accessible and consistently enforced?
Record	What live warnings or relevant history can properly be considered?
Comparators	Are earlier cases genuinely similar in facts, role, impact and mitigation?
Support and adjustment	Could training, supervision or reasonable adjustment address the issue?
Alternatives	Why would a lesser outcome be sufficient or insufficient?

Decision rationale - concise factual summary

Checks / advice / further evidence needed before finalising

4. Outcome letter structure

A clear letter supports fairness and makes follow-up manageable.

- ☐ Meeting details, attendees and process followed
- ☐ Each allegation or concern and the finding on each
- ☐ Concise reasons and key evidence, including relevant response and mitigation
- ☐ The outcome and effective date
- ☐ For a warning: required standards or goals, measures, support, review dates and how long it remains live
- ☐ Consequences of further misconduct or insufficient improvement
- ☐ For dismissal: reason, termination date, notice / pay position and return of property
- ☐ Right of appeal, how to appeal, recipient and deadline under the policy
- ☐ Who to contact for clarification and any wellbeing support

Tone

Be direct without being punitive. Avoid new allegations, emotive labels, irrelevant personal detail and wording that suggests the appeal has no real purpose.

Quality check

- ☐ Names, dates, allegations and policy clauses are correct.
- ☐ The outcome matches what the authorised decision-maker decided.
- ☐ Expectations are specific and measurable.
- ☐ The warning period and review period are distinguished.
- ☐ Confidentiality, storage and sharing are proportionate.
- ☐ Appeal instructions are complete and workable.

5. After the outcome

Stage	Practical action
Communicate	Tell the employee promptly and confirm in writing. Plan a private, respectful return to work where appropriate.
Appeal	Use an impartial manager wherever possible, consider the stated grounds and provide a genuine opportunity to challenge the outcome.
Support	Provide agreed training, supervision, adjustments or wellbeing signposting. Do not leave support as an unowned promise.
Review	Hold the stated check-ins; record progress against the specific standard, not personality or general impression.
Expiry	Treat expired warnings in line with policy and law; control access and retention of records.
Learning	Fix unclear rules, inconsistent management, training gaps or process weaknesses revealed by the case.

Appeal received / grounds / appeal manager / hearing date

Support and review actions / owners / dates

Process learning and policy follow-up

Sources and use note

Content checked against the following official guidance on 6 September 2026:

- [Acas - Disciplinary procedure step by step](#)
- [Acas - Deciding on the disciplinary outcome](#)
- [GOV.UK - Disciplinary procedures and action at work](#)
- [Acas Code of Practice on disciplinary and grievance procedures](#)

Legal and professional-use notice

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