

WEST LIMERICK INDEPENDENT LIVING CLG

Disciplinary Policy

Policy Reference	WLILP55
Category	Operational Policies — HR & Employee Relations
Version	1.1 (policy number confirmed as WLILP55)
Status	APPROVED — by the Board of Directors on 9 October 2026
Supersedes	Part 3: Disciplinary Policy, within Workplace Procedures Framework and Core Employment Policies 2026
Policy Owner	Board of Directors, West Limerick Independent Living CLG
Applies To	All employees of West Limerick Independent Living CLG ("WLIL")
Related Policies	WLILP7D - Data Retention, Rectification and Erasure Policy; WLILP8 - Safeguarding Vulnerable Persons at Risk of Abuse Policy; WLILP19 - Lone Working Policy; WLILP33 - Transport and Vehicle Use Policy; WLILP50 - Travel and Subsistence Policy; Grievance Policy; Dignity at Work Policy; Investigation Toolkit (shared across all four employee relations policies)
Review Cycle	At least every two years, or sooner where legislation, regulation, HSE requirements, HIQA standards, safeguarding requirements, WRC guidance, or organisational learning require revision

1. Purpose

The purpose of this Disciplinary Policy is to set out a fair, consistent and legally compliant procedure for addressing concerns regarding employee conduct, performance, attendance, capability, breach of policy or failure to meet expected standards. The primary aim of the disciplinary process is corrective, where appropriate. However, West Limerick Independent Living ("WLIL") may take disciplinary action, up to and including dismissal, where conduct, performance or risk requires it.

2. Legislative and Regulatory Framework

- Industrial Relations Act 1990, and the Code of Practice on Grievance and Disciplinary Procedures (S.I. No. 146/2000)
- Unfair Dismissals Acts 1977 to 2015
- Terms of Employment (Information) Acts 1994 to 2014, as amended
- Employment Equality Acts 1998 to 2015
- Safety, Health and Welfare at Work Act 2005

3. Scope

This policy applies to all WLIL employees. It may apply to issues including:

- Misconduct, or gross misconduct
- Poor performance
- Breach of professional boundaries
- Failure to follow reasonable management instructions
- Unauthorised absence or persistent lateness
- Breach of confidentiality or data protection
- Breach of safeguarding, health and safety or care practice requirements
- Inappropriate conduct in a client's home, community setting, vehicle or workplace
- Failure to comply with organisational policies and procedures
- Misuse of organisational property, systems or records
- Dishonesty, falsification of records or misrepresentation
- Conduct that may bring WLIL into disrepute

4. Standards Expected of Employees

Employees are expected to:

- Carry out duties safely, respectfully and competently
- Follow care plans, risk assessments, schedules, policies and reasonable instructions
- Respect the dignity, autonomy, privacy and preferences of service users
- Maintain professional boundaries
- Attend work as rostered and notify absence in accordance with policy
- Accurately record attendance, duties, incidents and relevant service information
- Protect confidential information
- Report safeguarding, health and safety, incident or service concerns promptly
- Treat colleagues, clients, families and members of the public with respect
- Cooperate with supervision, training, investigations and management processes
- Comply with WLIL's obligations under employment law, equality law, health and safety law, safeguarding requirements and funding/service requirements

5. PA, Home Support and Transport Service Context

Because many employees work alone in client homes, community settings or transport environments (see WLILP19 - Lone Working Policy), WLIL regards the following as particularly important:

- Professional conduct in private homes
- Respect for client autonomy and dignity
- Adherence to care plans and risk assessments
- Safe moving and handling, infection prevention and health and safety practices
- Safe driving and transport conduct where applicable, in line with WLILP33 - Transport and Vehicle Use Policy
- Accurate reporting of incidents, near misses and concerns

- Appropriate communication with clients and families
- Maintaining boundaries and avoiding over-familiarity, coercion, conflict or dependency
- Avoiding tasks outside competence, training or agreed service arrangements unless authorised or required in an emergency
- Prompt reporting where a task, environment or request is unsafe

6. Informal Management Action

Minor issues may be addressed informally through supervision, coaching, clarification of expectations, additional training, review of duties or placement, or verbal management guidance. Informal management action is not normally disciplinary action. A note may be kept for management purposes. WLIL may proceed directly to formal disciplinary action where the matter is serious, repeated, disputed or unsuitable for informal management.

7. Investigation

Before formal disciplinary action is taken, WLIL will normally carry out a reasonable investigation, the scope of which will depend on the seriousness and complexity of the matter. An investigation may include reviewing documents, records, rosters, care plans, risk assessments, incident reports, correspondence or system records; meeting the employee concerned; meeting witnesses; reviewing client-related information where appropriate and lawful; seeking safeguarding, HR, legal, health and safety or external advice; and considering whether immediate protective action is required.

An investigation is a fact-finding process and does not itself determine disciplinary sanction, unless WLIL expressly combines stages in a minor or straightforward case and fair procedures are still observed. Use the shared Investigation Toolkit (Investigation Plan, Investigation Interview Notes, and Investigation Report) to conduct and record the investigation.

8. Temporary Suspension or Reassignment

WLIL may suspend an employee on pay, or temporarily reassign an employee, where necessary to protect service users; protect employees or witnesses; preserve evidence; avoid interference with an investigation; protect the reputation or operation of WLIL; or comply with safeguarding or health and safety obligations. Suspension is not a disciplinary sanction and does not imply guilt. It will be reviewed periodically. WLIL may also remove an employee from a particular client placement without suspending employment, where this is sufficient and proportionate.

9. Formal Disciplinary Meeting

Where there is a case to answer, the employee will be invited to a formal disciplinary meeting. The invitation will normally include the nature of the allegations or concerns; the possible seriousness of the matter; relevant documents or evidence, where appropriate; the date, time and location or online meeting details; the right to be accompanied by a work colleague; and the possible outcomes, including whether dismissal is a potential outcome. At the meeting, the employee will have the opportunity to respond, provide evidence, call relevant witnesses where appropriate, and make representations. A note of the meeting will be kept, using the Disciplinary Meeting Notes form in Appendix A.

10. Representation

The employee may be accompanied at a formal disciplinary meeting by a work colleague, who may support the employee, take notes, and make reasonable representations, but may not answer questions on behalf of the

employee or obstruct the process. Legal representation will not normally be permitted unless WLIL determines that exceptional circumstances apply.

11. Disciplinary Outcomes

Following the meeting, WLIL may decide: no further action; informal guidance or training; a written warning; a final written warning; transfer, reassignment or change of duties where lawful and reasonable; demotion or loss of responsibility where contractually permissible or agreed; dismissal with notice; summary dismissal without notice in cases of gross misconduct; or referral to safeguarding, the HSE, An Garda Síochána, regulatory or other authorities where required. The outcome will be confirmed in writing, using the Decision/Outcome Record in the Investigation Toolkit.

12. Warnings

12.1 Written Warning

A written warning may be issued for misconduct, poor performance, attendance concerns or breach of policy. It will normally state the concern; the improvement required; the timescale for improvement, where applicable; the period for which the warning remains active; the consequences of further misconduct or failure to improve; and the right of appeal.

12.2 Final Written Warning

A final written warning may be issued where misconduct is serious; there is further misconduct while a warning is active; performance or attendance has not improved; or the matter is sufficiently serious but dismissal is not considered appropriate at that stage.

12.3 Duration of Warnings

Warnings will normally remain active for a defined period: a written warning normally up to 6 months, and a final written warning normally up to 12 months. WLIL may apply a longer period where justified by the seriousness of the matter, regulatory risk, safeguarding risk, or repeated conduct.

13. Gross Misconduct

Gross misconduct is conduct so serious that it may justify summary dismissal without notice following a fair process. Examples may include, but are not limited to:

- Abuse, neglect, exploitation or mistreatment of a service user
- Serious breach of safeguarding obligations
- Violence, threats or serious intimidation
- Theft, fraud or dishonesty
- Falsification of records, including timesheets, care records, mileage or incident records — see WLILP50 - Travel and Subsistence Policy
- Serious breach of confidentiality or data protection
- Being under the influence of alcohol, drugs or intoxicants while on duty
- Possession, use or supply of illegal drugs at work or while providing services
- Serious health and safety breach
- Dangerous driving or serious transport-related misconduct while on duty

- Unauthorised recording, photographing or sharing of client information, images or private circumstances
- Serious breach of professional boundaries
- Harassment, sexual harassment, serious bullying or discrimination
- Refusal to follow a reasonable instruction where this creates risk to service users, colleagues or WLIL
- Conduct likely to bring WLIL into serious disrepute
- Concealment of safeguarding, health and safety or serious service concerns

This list is not exhaustive.

14. Performance and Capability

Where concerns relate to performance or capability rather than misconduct, WLIL may use performance management, supervision, retraining, reasonable accommodation, occupational health advice or other supports before disciplinary action, where appropriate. However, formal disciplinary action may be used where the employee fails to engage with supports; performance creates risk; standards do not improve; or the issue involves negligence, misconduct or refusal to follow reasonable instruction. Where disability or medical issues may be relevant, WLIL will consider reasonable accommodation and appropriate medical advice.

15. Attendance and Absence

Attendance concerns may be managed under this policy, WLIL's sick leave provisions (see WLILP35 - Resource Management and Rostering Policy), or another relevant procedure. WLIL may consider the frequency and pattern of absence; failure to follow absence reporting procedures; impact on vulnerable service users; medical evidence; reasonable accommodation where applicable; and service continuity needs. Unauthorised absence, persistent lateness, or failure to attend scheduled shifts may be treated as misconduct.

16. Appeals

An employee may appeal a formal disciplinary outcome in writing, normally within 5 working days of receiving the outcome. The appeal should state the grounds, such as procedural unfairness, new evidence, a disproportionate sanction, or an error in findings. The appeal will be heard or reviewed by a person not previously involved where reasonably possible. WLIL will decide whether the appeal is a review or a rehearing. The appeal decision is final.

17. Confidentiality and Records

Disciplinary records will be stored securely and accessed only by authorised persons, and retained in accordance with WLILP7D - Data Retention, Rectification and Erasure Policy, which is the single authoritative source for WLIL's retention periods.

18. Review

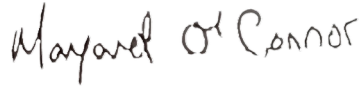
This policy will be reviewed at least every two years, or sooner where legislation, regulation, HSE requirements, HIQA standards, safeguarding requirements, WRC guidance, or organisational learning require revision.

This policy reflects the Industrial Relations Act 1990, the WRC Code of Practice on Grievance and Disciplinary Procedures, and the Unfair Dismissals Acts 1977 to 2015, checked as accurate as of drafting. It is not a substitute for legal or HR advice.

Approval

Approved by the Board of West Limerick Independent Living CLG on 9 October 2026.

Signed on behalf of the Board, on its instruction, by the General Manager:



Margaret O'Brien O'Connor, General Manager

Date signed: 09-10-2026

Appendix A — Disciplinary Meeting Notes

Case Reference: _____ Date of Meeting: _____

Time: _____ Location: _____

Employee Name: _____ Employee Role: _____

Manager/Chair: _____ Note Taker: _____

1. Attendees

Name / Role / Organisation / Attended as (e.g. Rep): _____

Apologies: _____

2. Allegations / Matters to be Considered

(Outline the concerns and potential breaches of policy.) _____

3. Employee Response

(Summary of employee's response to each allegation.) _____

4. Questions and Clarifications

(Key questions asked and answers provided.) _____

5. Evidence Considered

Document / Evidence / Source: _____

6. Mitigating Factors Considered

(e.g. length of service, previous record, personal circumstances, training needs.)

7. Adjournment for Decision (If Decision Not Given at the Meeting)

Meeting adjourned at: _____ Employee advised decision will be communicated by:

Expected decision date: _____ Any interim measures in place:

8. Outcome (If Given at the Meeting)

Decision: ☐ No Further Action ☐ Written Warning ☐ Final Written Warning ☐ Dismissal ☐ Other:

Reasons for decision: _____

Action required / conditions / timescale: _____

Right of appeal explained: ☐ Yes ☐ No Appeal must be submitted within: _____
working days

9. Closing Comments

10. Confirmation

We confirm that the above notes are an accurate record of the meeting.

Employee Signature: _____ Date: _____

Manager/Chair Signature: _____ Date: _____

Note Taker Signature: _____ Date: _____