

## FAST TRACK/AGREED OUTCOME PRINCIPLES

Where the disciplinary outcome of a particular case is anticipated to result in a sanction e.g. first written warning, an employee and /or staff side may ask management to move directly to that conclusion without completing a full investigation. The Manager may also suggest to staff side that the case may be suitable to be dealt with under Fast Track/agreed outcome. It should be noted however that there should be sufficient information for both the employee to request a Fast Track/agreed outcome and for management to make a decision on the appropriateness of the request i.e. Datix form. At the meeting there must be a belief that the employee has learnt from the experience and is unlikely to repeat their misconduct and adhere to the values of the Trust.

Fast Track/agreed outcome will not be considered for matters of gross misconduct or where dismissal may be appropriate. Nor can it be used if any of the allegations are contested by the employee or if there is a connected disciplinary process involving another employee.

In the event that the Manager/Senior Manager considering the facts decides that there may be no case to answer with the detail/evidence they have been given; this should be discussed with Human Resources.

Staff who are not in a union should discuss their concerns with their manager, the Trust's staff side chair, Human Resources or a workplace colleague before considering a request for 'Fast Track/agreed outcome'.

1. All requests must be submitted to the fact finder, commissioning manager or line manager, who will liaise with the HR department, before any investigation commences.
2. A meeting with the employee and their staff side representative (if in a union) will be necessary at this point to gather further information. The Line Manager/Senior Manager will be responsible for the collection of this information so that this can be passed on to the fact finder, commissioning manager or line manager for the decision making.
3. The Investigations Team Leader will seek to ensure that the employee has discussed the matter with their staff side representative, Human Resources or a workplace colleague if they are not a member of a staff side organisation before making such a request.
4. There will be no right of appeal against a warning given using Fast Track/agreed outcome

Cases that may fall under the Fast Track/agreed outcome but not exhaustive could include: social media, drug errors, lack of documentation, confidentiality, minor IG breaches, breaches of procedure internet misuse etc. Please note that this list is not exhaustive.

Please note that medication errors will be considered as part of the Fast Track/agreed outcome process, however every error will be reviewed by a panel, consisting of Lead Nurse, HR and Manager to consider the suitability of the Fast Track/agreed outcome process.

If the Fast Track/agreed outcome process is agreed; a meeting will take place with a senior manager of the Service, no witnesses will be called. Notes will be kept of the meeting. The senior manager hearing the case will not be the manager who was involved with any of the previous direct discussions with the employee.

**This meeting must have taken place within 72 hours of the issue being raised with their manager or staff representative**

**The process for a Fast Track/agreed outcome meeting will be as follows:**

- Introductions
- The senior manager outlines the nature of the allegation(s) accepted by the employee and advises that

it (they) will be awarded the agreed sanction.

- The senior manager confirms with the employee that they accept the allegations previously stated.
- The employee or their representative will have the right to put forward any comments or statements relating to the incident (including any mitigation).
- The senior manager may wish to question the employee.
- The senior manager will adjourn briefly to give consideration to the case. If more information is required to make a decision on the sanction the meeting may be adjourned to allow a further investigation to take place.
- The senior manager will then communicate their decision to the employee and their representative. The penalty will not exceed the previously stated limited sanction but in exceptional circumstances (e.g. the employee denies some of the allegations) the manager may decide that the matter should be referred for further investigation and/or to a full disciplinary hearing for potentially a higher sanction to be considered.
- The senior manager will send a letter confirming the decision to the employee. The record of any warning will be kept on the personal file.
- The disciplinary sanction imposed will be given in accordance with the Trusts' Disciplinary policy, procedure and related appendices.