

**Local Agreement Covering Agreed Outcomes**

**CFRS**

 **Policy**

Introduction

CFRS will make an informed assessment as to whether this local agreement covering agreed outcomes is an appropriate mechanism to resolve a disciplinary issue.

Each case will be considered on its merits and the principle of natural justice will ensure due consideration is given.

Scope

This local agreement covers all uniformed employees of CFRS.

**Principles**

If, at the end of an investigation into a potential disciplinary issue, the employee accepts all the allegations made against them then there is no need to automatically proceed to a Disciplinary Hearing.

If the facts of the allegation are not in dispute and the employee has accepted their wrongdoing either prior to or during an investigation, the manager can propose that the matter is dealt with by way of an agreed outcome meeting where what needs to be determined is the level of sanction.

Agreed outcomes are only appropriate where both parties are agreeable to the process. If either the employee or their representative is unhappy with a proposal for an agreed outcome, then the normal disciplinary process must be followed. The employee will be written to asking to consider this process and ask for agreement in writing.

[Procedure](http://www.intouch.ccc/elibrary/Content/Intranet/536/671/5053/6001/41410105256.doc)

Where there is agreement to an agreed outcome as being the acceptable way forward for both parties, the following principles should be followed:

* Both parties must be in written agreement to proceed in this way.
* The relevant designated officer with the authority to issue disciplinary sanctions must be aware of and agree to the proposal for an agreed outcome.
* Cases must not interfere with, or compromise ‘due process’ e.g. audit.
* A meeting should be held at which both parties (i.e. the employee and representative and the Investigating Manager) will be present, together with an HR Advisor. The Disciplinary Manager may or may not be present but must be aware of the fact that the meeting is taking place and have given authority for a particular sanction to be applied.
* At the meeting, all information relevant to the allegations(s) must be available and both parties must have a full opportunity to discuss all the issues, in accordance with the normal justice.
* The meeting can be adjourned and reconvened at any time if, for example, there is a need to obtain more information.
* On conclusion of the meeting, the employee will be required to sign a written acceptance of his/her misconduct and the relevant disciplinary sanction proposed. The sanctions available are the same as those contained in the disciplinary procedure.
* Following the meeting, the employee must be allowed a ‘cooling off’ period of 7 working days, for the purpose of allowing them to consider their decision to accept the agreed outcome, and change their mind if they so wish.
* In the event that the employee does change their mind, the right of appeal will re commence the normal disciplinary process