LONDON FIRE BRIGADE

Discipline (conduct) policy

New policy number:	**392**
Old instruction number:	
Issue date:	**9 February 2024**
Reviewed as current:	**3 August 2026**
Owner:	**Director, People Services**
Responsible work team:	**Professional Standards Unit**

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1 Introduction

1.1 This policy sets out the LFB's Disciplinary Procedure, which applies to all employees, both uniformed and non-uniformed.

1.2 The disciplinary procedure provides a clear, fair and consistent framework for addressing concerns about conduct. It supports employees to meet required standards, promotes improvement and learning, and ensures that concerns are addressed promptly to maintain public trust.

1.3 This policy aligns with the LFB's Values and Behaviours Framework, the National Joint Council Grey Book for uniformed staff and the ACAS Code of Practice.

1.4 This policy should be read alongside the Disciplinary Procedure Guidance, which explains how the procedure is applied in practice, this is available on Hotwire.

1.5 The Professional Standards Unit will oversee the application of this procedure. For uniformed staff, relevant Grey Book provisions will apply where indicated. Managers remain responsible for addressing conduct issues at a local level, where appropriate, with support and advice from the Professional Standards Unit as required.

2 Standards of conduct

2.1 Employees are expected to demonstrate standards of behaviour consistent with the LFB's values:

Service – We put the public first.

Courage – We step up to the challenge.

Learning – We listen so we can improve.

Teamwork – We work together and include everyone.

Equity – We treat everyone fairly and according to their needs.

Integrity – We act with honesty.

More information here.

2.2 As an organisation serving London's diverse communities, the LFB expects a high standard of behaviour from all employees. This applies whether or not a role involves direct contact with the public, as confidence in the LFB depends on the standards we uphold as an organisation. Employees, when at work or identifiable as members of the LFB, must ensure that their conduct is professional and consistent with those standards. Conduct outside work must not bring the LFB into disrepute.

Zero tolerance

2.3 The LFB operates a zero-tolerance approach to bullying, harassment, discrimination and victimisation. This includes behaviour that takes place in person, online or through other forms of communication. Concerns will be taken seriously and considered promptly to determine the most appropriate route, which may include management action, the grievance procedure or formal disciplinary investigation.

2.4 Zero tolerance does not mean every case will result in dismissal. It means concerns will be addressed consistently and proportionately, based on the evidence. Serious cases may amount to gross misconduct.

2.5 The LFB will take all reasonable steps to protect individuals who raise concerns or participate in investigations in good faith.

3 Scope

3.1 This procedure applies to misconduct and gross misconduct.

4 Misconduct

4.1 Misconduct refers to behaviour that falls below the standard expected of employees.

4.2 The disciplinary procedure is designed to cover behaviour which is contrary to that necessary for ensuring a safe and efficient workplace, and for maintaining good employment relations. Such behaviour could include, but is not limited to:

- Bad behaviour, such as fighting or drunkenness;
- unsatisfactory work performance;
- harassment, victimisation or bullying;
- misuse of company facilities (for example e-mail and internet);
- poor timekeeping;
- unauthorised absences; and
- repeated or serious failure to follow instructions.

In some circumstances, repeated or particularly serious instances of the above may be treated as gross misconduct, as set out in Section 5 of this policy.

4.3 The above list is not exhaustive and further illustrative examples of misconduct are set out in the Disciplinary Procedure Guidance.

5 Gross misconduct

5.1 Gross misconduct is conduct of such seriousness that it may justify dismissal without notice.

5.2 Acts which constitute gross misconduct are those resulting in a serious breach of contractual terms. Examples of gross misconduct might include, but are not limited to:

- Theft or fraud;
- physical violence or bullying;
- deliberate and serious damage to property;
- serious misuse of the employer's property or name;
- deliberately accessing pornographic, offensive or obscene material;
- unlawful discrimination or harassment;
- bringing the employer into serious disrepute;
- serious incapacity at work brought on by misuse of alcohol or illegal drugs;
- causing loss, damage or injury through serious negligence;
- a serious breach of health and safety rules; and
- a serious breach of confidence.

5.3 The above list is not exhaustive and further illustrative examples of gross misconduct are set out in the Disciplinary Procedure Guidance.

6 Time limits for employees raising concerns

6.1 This section applies to conduct concerns being considered under the disciplinary procedure, whether because they have been upheld through the grievance process or because they are sufficiently serious to be managed as potential misconduct from the outset.

6.2 Employees are encouraged to raise conduct concerns as soon as possible after an incident and should normally do so within three months. This helps to ensure fairness to all parties, as matters can be considered while evidence and recollection are clear.

6.3 Where an employee raises a concern after a longer period, the Head of PSU or their designated deputy will decide whether it is appropriate to investigate. In making this decision, the following factors will be considered:

- The reason for the delay;
- the seriousness of the allegation;
- how long ago the events occurred;
- the availability and reliability of evidence; and
- whether witnesses remain available.

6.4 Concerns raised late may not be investigated if it is no longer possible to conduct a fair and thorough process for all parties, as set out in 6.3.

6.5 Where the alleged conduct may involve potential criminal conduct or safeguarding concerns, the usual time expectation in section 6.2 may not apply in the same way. In such cases, the LFB will consider the circumstances and take appropriate action in line with relevant policies and legal obligations.

6.6 Decisions to proceed in these circumstances will be made by the Head of PSU or their designated deputy.

7 Disciplinary procedure

7.1 **Principles**

- **Fairness and natural justice**: Matters will be handled impartially. Employees will know the case against them and will have the opportunity to respond before decisions are made.
- **Standard of proof**: Decisions will be based on the balance of probabilities. This means the presiding manager must decide whether it is more likely than not that the alleged conduct occurred. Evidence must be sufficient, reliable and fairly considered.
- **Proportionate investigation**: A reasonable investigation will take place before any hearing.
- **Proportionality of action**: Disciplinary action will be dealt with at the lowest level appropriate, having regard to the nature and seriousness of the alleged conduct.
- **Timeliness**: Matters will be progressed without unnecessary delay and updates provided as appropriate.
- **Participation**: Employees are expected to cooperate. If they unreasonably fail to engage, decisions may be made on available evidence.
- **Support**: The process will be managed sensitively, and employees may access appropriate support.
- **Representation**: Employees have the right to be accompanied at formal hearings, as set out in section 7.7.
- Information will be managed in accordance with Section 10 of this policy.

7.2 Informal resolution

Minor conduct issues should normally be addressed locally by the line manager, where appropriate, and resolved informally wherever possible. Matters should be referred to the PSU where the behaviour may amount to misconduct requiring formal action, or where previous informal steps have not led to improvement.

Managers may seek advice from the PSU or their HR Business Partner where they are unsure whether a matter should be managed informally or referred for formal consideration.

7.3 Mediation

Mediation is a voluntary and confidential process in which an impartial third party helps individuals to discuss issues, improve understanding and, where possible, reach a mutually acceptable resolution.

Mediation may be used at any stage to help rebuild working relationships and prevent escalation.

Mediation may not be appropriate where the concerns involve alleged domestic abuse, sexual violence, serious harassment, coercive or controlling behaviour, safeguarding concerns, or any other circumstances where there may be a significant power imbalance between the parties. In such cases, the LFB will consider the most appropriate alternative action under this policy.

7.4 Formal disciplinary investigation

7.4.1 Roles and responsibilities

Local managers are responsible for addressing minor conduct issues at the informal stage and, where appropriate, for managing Stage One cases locally, including fact finding or investigation, with advice from HR Business Partners or the PSU as required.

The PSU is responsible for carrying out the initial assessment of matters referred for formal consideration and for advising on the appropriate route for each case considering the nature and seriousness of the alleged conduct and the information available at the time.

The PSU will lead formal investigations at Stage Two and Stage Three and provide support to presiding managers at formal hearings.

PSU investigating officers are responsible for carrying out proportionate investigations and preparing an investigation report for the PSU commissioning manager or their nominated deputy.

7.4.2 PSU initial assessment

After an initial assessment, the PSU will decide whether the matter:

- Should be managed informally at a local level by the line manager, where appropriate.
- Should proceed to the formal stage and be managed locally by the appropriate manager, normally at Stage One.
- Should proceed to the formal stage and be managed by the PSU, normally at Stage Two or Stage Three.

The decision and rationale will be recorded. Where the matter does not meet the threshold for formal disciplinary action, the PSU will signpost the manager or individual to an appropriate alternative route.

7.4.3 Investigation standards and case management

- Investigations will be conducted fairly, proportionately and without unnecessary delay.

- The employee who is the subject of the investigation will be kept informed of progress in a timely manner. Updates will normally be provided at least every 28 days unless there are clear reasons why this is not possible.
- Where there is a complainant, they will be informed when the disciplinary process has concluded and whether their complaint has been upheld. Details of sanctions shall not be disclosed and information shared will be limited to what is necessary and proportionate.
- Information will only be shared with those who have a legitimate and proportionate need to know.
- Managers and investigating officers must manage investigations sensitively, consistently and impartially. Where appropriate, the PSU may commission an external investigator.
- Investigations will normally be concluded within twelve weeks of commencement. The time required will depend on the complexity of the case and the availability of those involved.
- Where completion within twelve weeks is not reasonably practicable, the investigating officer must provide a written explanation and revised completion plan to the PSU commissioning manager.
- In cases extending beyond twelve weeks, the investigating officer must provide written six-weekly progress updates to the PSU commissioning manager until the investigation is concluded.
- If new information materially changes the seriousness of the allegations, the investigating officer must refer the matter to the Head of PSU or their designated deputy. The employee who is the subject of the investigation will be kept informed.

7.5 Suspension

- Suspension is a neutral act and is not a disciplinary sanction.
- Suspension may be considered where necessary and should only be used as a last resort where no reasonable alternatives are available, such as temporary redeployment, alternative duties or placement on another watch or team. All alternatives must be explored and recorded before a suspension is authorised.
- Suspension must be informed by a completed Suspension Risk Assessment, in consultation with the Professional Standards Unit, and authorised at the appropriate level.
- The employee will be informed of the decision to suspend, the reasons for suspension, any conditions that apply, and the arrangements for review.
- Managers must recognise the potential impact on wellbeing and handle decisions and communication sensitively. Appropriate support should be offered.
- Where the employee is a recognised trade union representative, the LFB will, with the employee's agreement, inform the relevant senior full-time official before any suspension is put in place. As set out in 9.1.
- Employees will normally remain on full pay during suspension. Where an employee is absent due to sickness during a period of suspension, normal sick pay provisions will apply.
- Suspension should be kept as short as possible and reviewed regularly to ensure it remains necessary and proportionate.

7.6 Stages of the procedure

Informal stage

Minor issues should be dealt with quickly and confidentially by the line manager. A record of an informal conversation, which may be issued as a Letter 1, may be placed on the e-PRF and shared with the PSU for oversight purposes. A record of a conversation is not a formal disciplinary sanction and will not be relied upon to escalate a matter to a higher disciplinary stage.

At the informal stage, the manager should ensure that the employee is clear about the expected improvement and how this will be achieved.

At each formal stage, appropriate fact finding or investigation will be completed before any hearing takes place, in accordance with Appendix A.

Stage One

First instances of misconduct where formal action is appropriate. The maximum sanction is a six-month written warning.

Stage Two

Repeated misconduct or more serious matters where a written warning may not be sufficient.

The maximum sanction at this stage is an 18-month final written warning.

Stage Three

This stage applies where there has been a continued failure to improve following previous warnings or where the alleged conduct is sufficiently serious to warrant consideration of dismissal or an alternative sanction.

The outcome at this stage may include dismissal or, where appropriate, an alternative sanction.

7.7 **Disciplinary hearings**

- Where there is a case to answer, the employee will be invited to a disciplinary hearing. Written notice will be given in advance of the hearing, setting out the allegations, the stage of the procedure and the possible outcomes. The notice period will depend on the stage of the procedure and will usually be 7, 14 or 21 days.
- Employees have the right to be accompanied by a trade union representative or a workplace colleague.
- The employee will receive the evidence bundle with the hearing invitation, or as soon as reasonably practicable afterwards, and within the relevant notice period of 7, 14 or 21 days. Information may be redacted where necessary and appropriate, in line with data protection legislation (including UK GDPR and the Data Protection Act 2018).
- The employee is expected to make every reasonable effort to attend the hearing. Where an employee fails to attend without good reason, or is persistently unable to attend, after reasonable adjustments have been considered, the LFB may proceed in their absence and reach a decision based on the available evidence, including any written representations submitted by the employee or their representative.
- If the employee or their chosen companion is unavailable on the proposed hearing date, the employee may propose an alternative time that is reasonable and normally within seven working days of the original date. The time limits referred to above may be varied by mutual agreement.
- The hearing will be conducted by a presiding manager. An HR representative will attend Stage Two and Three hearings to provide advice on policy, procedure, employment law and best practice. The HR representative's role is advisory, and responsibility for the decision rests with the presiding manager.
- Hearings will normally take place in person. A hearing may take place remotely where this is appropriate, enables fair and effective participation by all parties, and is agreed by all parties. Where agreement cannot be reached, the hearing will take place in person.
- The employee will have an opportunity to respond to the allegations, ask questions and present information in support of their case.
- In the course of a disciplinary process, an employee might raise a grievance that is related to the case. If this happens, the presiding manager should consider suspending the disciplinary procedure for a short period while the grievance is dealt with. Depending on the nature of the

grievance, the manager may need to consider bringing in another manager to deal with the disciplinary process.
- The decision on whether to suspend the disciplinary procedure should be done in consultation with the PSU.
- The presiding manager may adjourn the hearing if further investigation or clarification is required.
- The decision will normally be confirmed in writing within seven working days of the conclusion of the hearing and will include the right of appeal, where a formal sanction is imposed. More information is available in hotwire.

7.8 Decisions and sanctions

Following a formal disciplinary hearing, the presiding manager will decide whether the allegation is upheld. If the allegation is not upheld, no disciplinary sanction will be imposed.

Where it is upheld, the presiding manager will decide the appropriate outcome considering the stage of the procedure and any mitigation presented.

Possible outcomes are:

- No formal action.
- Six months written warning.
- 18 months final written warning.
- Dismissal with notice for serious or repeated misconduct where summary dismissal is not justified.
- Summary dismissal (dismissal without notice) where gross misconduct is found.
- Alternative sanctions for uniformed operational staff in accordance with the Grey Book, including demotion (no more than one grade; demotion of more than one grade requires the agreement of the employee), disciplinary transfer or loss of pay of up to thirteen days.

Any sanction imposed will be proportionate in all the circumstances of the case.

Effective date of sanctions

- Formal sanctions will normally take effect from the date the outcome letter is issued. Where an employee is summarily dismissed, the dismissal will take effect immediately.
- In exceptional cases, the presiding manager may decide, with HR representative advice, that a sanction awarding a warning should be backdated. The rationale must be clearly recorded.

7.9 Appeals

- Employees have the right to appeal against any formal disciplinary sanction.
- The grounds of appeal must be one or more of the following:
  - A defect in procedure such that the hearing was unfair;
  - the allegation is not proven on the balance of probabilities;
  - the disciplinary sanction was too severe;
  - new evidence has come to light since the disciplinary hearing which will have an impact on the decision.
- Appeals must be submitted to the PSU in writing within seven working days of receiving the outcome letter and must state the grounds of appeal. Where insufficient detail of the grounds of appeal is provided, the employee will be asked to clarify the grounds before the appeal proceeds.
- Appeals will be heard without unreasonable delay by a manager who has not previously been involved in the case and who is normally more senior to the presiding manager.

- The appeal manager will conduct the appeal hearing as a rehearing, in full or in part, **where this is required**. Otherwise, the appeal hearing will be conducted as a review.

A rehearing would be required in the following instances (this is not necessarily an exhaustive list):

- There was a procedural defect at the original hearing such that the hearing was unfair.
- New evidence has come to light which needs to be heard in full.
- There is a dispute about evidence given by one or more witnesses at the original hearing. In these cases, it may be necessary to rehear the witness evidence at the appeal.

Where an appeal is conducted as a review, the appeal manager will consider the documentation from the original hearing together with the submissions made at the appeal hearing.

- The appeal manager will determine whether the appeal is conducted as a rehearing or as a review and will provide the rationale.
- If the employee appeals against dismissal, the dismissal will take effect as confirmed and will not be delayed pending the outcome of the appeal. If the appeal is upheld, the employee will normally be reinstated with no loss of continuity of service or pay.
- In considering the appeal, the appeal manager will assess whether the procedure followed was fair, whether the decision was reasonable, and whether any new information has become available.
- The appeal may confirm or revoke the original decision or substitute a lower sanction.
- The outcome will be confirmed to the employee in writing.
- The appeal decision is the final stage of the LFB's internal disciplinary process.

Further information is set out in the Disciplinary Procedure Guidance here.

8 Grievances during disciplinary process

8.1 In the course of a disciplinary process, an employee might raise a grievance that is related to the case. If this happens, the manager should consider suspending the disciplinary procedure for a short period while the grievance is dealt with. Depending on the nature of the grievance, the manager may need to consider bringing in another manager to deal with the disciplinary process. Employees should refer to the Grievance Policy (policy number 394) for the full process.

Grievances raised during a disciplinary process

8.2 If an employee raises a grievance during a disciplinary investigation or hearing, the LFB will consider how the grievance should be managed and whether it affects the fairness or continuation of the disciplinary procedure.

8.3 Where a grievance is raised during the investigation stage, the Head of PSU, or their designated deputy, will decide whether the grievance:

- Should be addressed as part of the disciplinary investigation so far as it is relevant to the matters under consideration; or
- should be managed separately under the Grievance Policy, and whether a pause to the disciplinary process is required.

The employee will be informed of the decision and the rationale for how their grievance will be handled.

9 Other considerations

9.1 Where an employee who is subject to a disciplinary process is a trade union representative, the LFB will discuss the matter with a relevant senior full-time official, with the employee's agreement, before proceeding. This supports fairness and transparency in the process.

9.2 **Criminal offences**

- If an employee is charged with, or convicted of, a criminal offence not related to work, this will not in itself be a reason for disciplinary action. The manager should establish the facts of the case and consider whether the matter is serious enough to warrant starting the disciplinary procedure. The main consideration should be whether the offence, or alleged offence, makes the employee unsuitable for their type of work. Similarly, an employee will not be dismissed solely because they are absent from work as a result of being remanded in custody.
- The decision on how to proceed in such cases will rest with the Head of PSU or their designated deputy.

9.3 **Impartiality and conflicts of interest**

- Before appointing an investigating officer, the Head of PSU, or their designated deputy, must be satisfied that no conflict of interest exists. The appointed investigating officer must declare any actual or perceived conflict of interest at the outset of the process. Any conflict must be declared and resolved before the investigation begins.
- Where a potential conflict of interest arises, the Head of PSU, or their designated deputy will decide whether there is a conflict of interest, and whether the investigation should be reallocated. Where the potential conflict relates to the Head of PSU, any determination will be made by the Director for People.

9.4 **False or malicious allegations**

- Employees are encouraged to raise concerns in good faith. No employee will face disciplinary action solely because an allegation is not upheld or because there is insufficient evidence to substantiate it.
- However, where there is clear evidence that an allegation has been deliberately fabricated or made maliciously, this may itself amount to misconduct.
- In such cases, a separate and proportionate investigation will be carried out before any decision is made, and disciplinary action may be taken where appropriate, having regard to the seriousness of the conduct.

10 Confidentiality and records

10.1 **Confidentiality**

- Information relating to a disciplinary process must be treated as confidential.
- It will only be shared with those who have a legitimate need to know and in a manner that is proportionate to the circumstances.
- Employees, witnesses and managers involved in a disciplinary process must not disclose case details except where authorised or required by law.
- Unauthorised disclosure of confidential information may itself constitute misconduct under this policy. More information here.

10.2 **Records**

- Records relating to disciplinary proceedings, including warnings and hearing notes, will be retained securely in accordance with the LFB's Data Protection and Privacy Policy and Records Retention Strategy.

- Once a warning has expired, it should not be relied upon when determining future disciplinary outcomes.
- Records will be handled in accordance with applicable data protection legislation, including the General Data Protection legislation and the Freedom of Information Act.

11 Help and support

11.1 The LFB recognises that disciplinary processes can be stressful. Employees may seek support at any stage, and managers should signpost appropriate services where needed.

11.2 With the employee's consent, the PSU may refer individuals to the Counselling and Trauma Team where additional support is appropriate.

- HR Helpdesk – extension 89100 option 3, or email IT.HR@london-fire.gov.uk.
- Payroll – payforms@london-fire.gov.uk.
- Counselling and Trauma Team counselling@london-fire.gov.uk.
- Communications Team – for accessible formats, extension 30753, or communications.team@london-fire.gov.uk.

11.3 This policy may also be available on request in other accessible alternative formats Please contact Communications on extension 30753 or communications.team@london-fire.gov.uk.

11.4 The LFB invites your engagement so that it can learn. If you have a suggestion to improve this policy, please submit your idea via the Staff Suggestion Scheme on Hotwire, as set out in Policy number 0887 – Staff suggestion scheme. Any changes must follow the agreed engagement, consultation, negotiation, or governance requirements.

Appendix 1 – Role equivalency table

Policy role	Uniformed equivalent (Grey Book)	FRS grade
Line manager	Station officer/station commander	FRS D
Senior manager	Group manager	FRS E
Senior leader	Area manager/LFB manager	FRS F-G

Appendix 2 – Level of manager

	Investigation	**Conduct hearing/take action**
Informal/formal Stage One	Sub/station officer FRS C Control commander	Station commander FRS D Control commander
Second formal stage	Station commander FRS D Control commander	Group commander FRS E Senior control commander
Third formal stage	Group commander FRS E Senior control commander	Deputy assistant commissioner FRS G Deputy assistant commissioner

Appendix 3 - Simplified disciplinary flow tables

Informal resolution	Minor issues resolved locally - informal action will normally be recorded by way of a written note of the discussion, issued as a Letter 1 and retained on e-PRF
First formal stage	Written warning
Second formal stage	Final written warning
Third formal stage	Dismissal or alternative sanction

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	12/12/25	SDIA	L – 03/02/26	HSWIA	03/02/26	RA	NA

Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
	PN481 has been cancelled and the content incorporated into this policy.	09/02/2024
Page 18	EIA and SDIA dates added.	11/02/2024
Page 4, para 1.9 Page 17, para 26.1 Page 17, para 27.5	Values included. Data protection details added. Access to alternative policy format details added.	08/04/2024
Page 13, para 15.10	Minor correction to incorrect paragraph number reference.	20/02/2025
Throughout	Comprehensive review completed following consultation with representative bodies. Amendments include clarification of roles and responsibilities, grievance procedures, investigations, appeals, governance arrangements, alignment with related Brigade policies and current best practice, together with general drafting and accessibility improvements throughout.	03/08/2026
Page 4, para 7.1	Corrected reference under 'representation' bullet to refer to paragraph 7.7.	25/08/2026

Subject list

You can find this policy under the following subjects.

Discipline	Conduct

Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	**FOIA exemption**	**Security marking classification**