

RECENTLY, I have heard several senior nurse managers say how difficult they find it to take the type of action which leads to the discipline, or eventual dismissal, of an employee. It was much easier, they say, before the industrial legislation of 1971.

The real changes to the legislation were to clarify the employer's behaviour leading to the dismissal of an employee.

There must be a set procedure known to the employee, and the system should be seen to be fair. Levels of staff with the authority to take action must be known, and behaviour leading to likely discipline illustrated. Every employee should have a copy of the procedure and know her rights when action is contemplated. If an employee is dismissed by her employer, she may appeal to an industrial tribunal.

My reaction to these changes is perhaps different to that of some of my colleagues. I welcome a recognised system of discipline which is accepted by both the employer and the employee, and her union. Employment is a basic requirement for the vast majority of the population to enable them to live responsible lives and support themselves and their dependants. Any form of discipline, counselling, first warning, or final warning may pose a threat to the continued employment of an individual and should only be contemplated when all the other forms of persuasion and action have been explored.

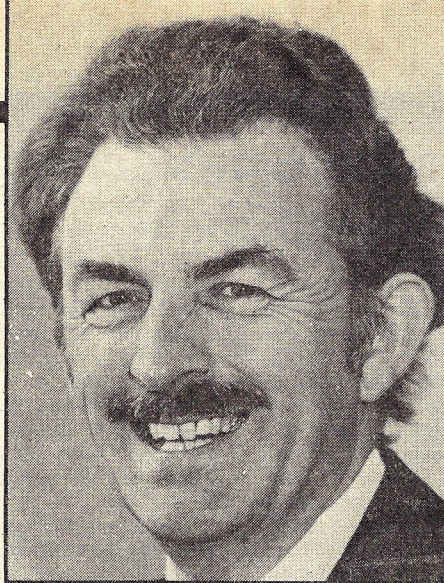
A basic principle to be practised is to keep the needs of the individual separate from the basic demands of the organisation. An objective approach must be practised, otherwise the emotion of a single issue clouds the judgment of a manager when a breach of discipline has occurred.

Questions to be asked should include: "What effect did or would the action, or lack of it, have had on the patient, other staff, the organisation?" "Why did the individual act in such a manner – was it because of lack of training, or even illness?" "Was it reasonable for the nurse to respond in the way she did, considering all the circumstances?"

Only if there is still a case to answer does the individual need to be considered. This approach takes away the subjectivity that must be present if a particular individual is considered first before the alleged offence.

There are many aspects on an individual basis that have then to be considered: past and present performance; state of health; relationship with others, etc. Evidence of one incident of poor past performance alone should not be used necessarily to discipline an employee. When a new incident arises, each case must be considered separately. Past performance should be used only when it demonstrates an overall deterioration of performance.

If a discipline interview is conducted skilfully it may be possible to find out if personal domestic problems played a



## How to turn a rebel into a friend

**Don't raise your voice or lose your temper but be positive and give help and advice, Anthony Carr, Area Nursing Officer for Newcastle upon Tyne, tells managers with the task of disciplining nurses.**

part in the alleged offence. So the first step is to investigate the alleged incident and prove that it took place. Statements in writing are obtained and the incident investigated. It may also be appropriate to suspend the person from duty; suspension is not part of the disciplinary procedure but is a procedure that allows management to investigate thoroughly the situation in an objective manner. It is sometimes beneficial to the employee as it removes him from a difficult situation.

It is essential that the employee is urged to consult her trades union official at the earliest opportunity. For those readers who think I am anti-union, let me state, clearly, that I believe union activity comes into its own at this point. I would be very apprehensive about conducting a discipline interview without the member of staff being represented. The union officer would want to know in writing what the alleged offences were after management had investigated the matter thoroughly; a case that cannot stand up before the interrogation of a union official is perhaps a case that should never have been brought at all.

Rather than fear the presence of the union, nurse managers should welcome it as a check on their own behaviour. A manager who does not appreciate this should not be holding a senior

management position. It has been my pleasure to find most union officials to be helpful and courteous, but very forceful on behalf of their members.

Nurse managers on their part need to know at what level in the organisation nurses can take action. A good principle to apply is that those who have the authority to appoint staff have the responsibility to discipline and dismiss; I am sure most divisional nursing officers deal with all staff up to at least ward sister level. They should, therefore, have the power to dismiss. Different levels of warning can be delegated with appropriate appeals machinery.

Although there is some risk in reducing the grade of nurse conducting the disciplinary procedure, my experience has proved that staff respond positively to being given responsibility.

Although as an area nursing officer in a single-district area I hear about many cases before action is taken, this is not a requirement. Support from the personnel department is also important, but it is essential that nurse managers are seen to decide on any action thought necessary. They abdicate this responsibility at their own peril. The most senior nurse – that is, the district nursing officer in a multi-district area, or area nursing officer in a single-district area – must be prepared to take over a difficult case if requested to do so by the divisional nursing officer.

As in all other matters, the most senior nurse must demonstrate her own skill and support as the most senior line manager. It is a great pity that, so often, disciplinary action has to be taken because nursing management lacked either the interest or courage to tackle the situation before it developed to the disciplinary stage. It is clearly each employee's own responsibility to set proper standards of work. It is also nurse management's responsibility to see that the employee maintains a proper standard. To wait for the opportunity of the annual appraisal is to misuse the system and the staff connected with it.

Every person has a right to be told when her immediate supervisor is not satisfied with her work; I do not mean those petty or hurtful negative comments some supervisors make to their staff. There is no place in nursing for any nurse holding either a ward sister's position or higher if she is unfair in her comments and unjust in her behaviour. No one should be apprehensive about working for a particular senior. If the nurse taking disciplinary action accepts that the overriding principle of that action is to alter in a positive way the behaviour of the person being disciplined, then there is a real chance that the discipline will have the desired effect – no raised voices, but rather a proper exploration of the events with help and firm advice. This type of approach often changes a rebel into a friend □