



**PROCEDURE: Disciplinary**

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Inception Date	25 July 2018		
Procedure Owner	Human Resource Manager		
<b>Review Register</b>		<b>Date</b>	<b>Signature</b>
Approved by QMS Sub-committee	QMS Chairperson	25/07/2018	Name: Louise Fuller Signature:
Approved by MANCO	MANCO Chairperson	25/07/2018	Name: Benjamin Anderson Signature:
Revision Frequency	Annually		
Review Date	June 2019		
Review History			

**Related documents**

<p><b>Da Vinci internal</b> (e.g. Policies, Regulations, Guidelines, Contracts)</p> <ul style="list-style-type: none"> <li>• Policy: Human Resource</li> <li>• Employment Contract</li> </ul>	<p><b>Other/External</b> (e.g. Legislation, DHET and CHE directives and guidelines)</p> <ul style="list-style-type: none"> <li>• Constitution of the Republic of South Africa: 1996</li> <li>• Basic Conditions of Employment Act. No 75 of 1997</li> <li>• Labour Relations Act. No 66 of 1995</li> <li>• Employment Equity Act. No 55 of 1998</li> <li>• Skills Development Act. No 97 of 1998</li> <li>• Skill Development Levies Act &amp; Regulations. No 9 of 1999</li> <li>• Higher Education Act 101 of 1997</li> <li>• Department of Education regulations</li> <li>• Companies Act No 71 of 2008</li> <li>• Protection of Personal information Act, 2013</li> <li>• Occupational Health And Safety Act 85 of 1993</li> <li>• Electronic Communications And Transaction Act 25 of 2002</li> <li>• Unemployment Contributions Act 9 of 1999</li> <li>• Promotion of Access to Information Act 2 of 2000</li> </ul>
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	<ul style="list-style-type: none"> <li>• Academy of Science Of South Africa Act 67 of 2001</li> <li>• Adult Education And Training Act 52 of 2000</li> <li>• National Advisory Council On Innovation Act 55 of 1997</li> <li>• National Education Policy Act 27 of 1996</li> <li>• National Qualifications Framework Act 67 of 2008</li> <li>• Technology Innovation Act 26 of 2008</li> <li>• Academy Of Science Act 67 of 2001</li> <li>• National Advisory Council On Innovation Act 55 of 1997</li> <li>• Protected Disclosures Act 26 of 2000</li> <li>• National Qualifications Framework Act 67 of 2008</li> <li>• Tobacco Products Control Act 83 of 1993</li> </ul>
<b>Website address of this document:</b>	<b><a href="http://www.davinci.ac.za">www.davinci.ac.za</a></b>

## Procedure Description

The disciplinary procedure will be followed when discipline enquirers are followed.

Step	Description	Notes
1	Line Manager to notify the Human Resource Manager to schedule a Disciplinary Enquiry	
2	Human Resource Manager will notify the employee in writing atleast 3 days before the date	The notice will indicate the attendees, allegation against the employee, the time, venue and proceedings
3	Employee should sign receipt of the notice	If they refuse to sign a witness should confirm that the notice has been served
4	Line Manager to prepare and bring relevant evidence and/or information to the Disciplinary Enquiry	
5	Chairperson will convene the enquiry	
6	In the enquiry, the Line Manager will present the charge and the evidence collected and give the employee the opportunity to provide feedback	Both the Line Manager and the employee can call witnesses if relevant to the proceedings
7	All attendees concerned will be asked to leave the room during deliberations	
8	The Chairperson will then call in the employee and their representative/s and present the findings in respect of the charge	
9	The Human Resource Manager will prepare and document all warning documents	
10	The Human Resource Manager in the presence of a witness will issue the warning	
11	Once all documents are signed, the employee will receive a copy of the disciplinary note and the original will be filed in the employee file	
12	If the employee does not appeal within 5 working days the finding of the disciplinary enquiry is deemed final	

13	Employee can appeal the decision by submitting the Appeal application within 5 working days to the Line Manager	
14	The Line Manager to advise the Human Resource Manager of the Appeal application	
15	The Human Resource Manager to arrange for an Appeal meeting with another Manager, preferable more senior than the Line Manager	
16	Human Resource Manager will notify the employee in writing, atleast 24 hours before the date	
17	Employee should sign receipt of the notice	
18	The Appeals' Panel will consider additional evidence and hear new witnesses	
19	The Appeals' Panel will evaluate the relvant information and conclude on the outcome	
20	The Appeals' decision is final and the employee will be notified in writing by the Human Resource Manager	
21	Once all documents are signed, the employee will receive a copy of Appeals' outcome and the original will be filed in the employee file	

## Stakeholders

#	Stakeholder
1	Human Resource Manager
2	Line Manager

## Version Control

Procedure Owner	Version #	Date	Reason
Human Resource Manager	001	25 July 2018	

