



# CRONER

## Croner Compliance: How to Manage Disruptive Staff

Date: 15<sup>TH</sup> April 2026

Run Time: Approximately 50 minutes

**This session will start shortly (14:30)**

The detail contained within this webinar is based on GB & Northern Ireland employment legislation.

Members in the jurisdictions of the Republic of Ireland, Jersey, Guernsey and Isle of Man are asked to please contact the Advice Service to obtain the information relevant to your jurisdiction.



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## Hard hitting reality

- 2026 is going to be a busy year for employment law changes
- Changes will affect over 28 areas of employee management
- 173 separate pieces of law to be written/amended
- Laws will be spread over next 2 years
- Vast majority of changes will affect every employer in the UK regardless of size

**Please put your questions in the chat!**



# The biggest changes

- Statutory sick pay expansion – April 2026
- Family Leave/Payments – 6<sup>th</sup> April 2026
- Introduction of Fair Work Agency – April 2026
- Requirement to inform of right to join a union – October 2026
- Increased harassment obligations – October 2026
- Unfair dismissal protection – 1 January 2027
- More red tape on flexible working refusals – 2027

# Did You Know?

- Disruptive behaviour at work causes a loss of 2.8 hours per week per employee and make staff twice as likely to leave.
- Managing disruptive staff is about to get much harder...



# Disruptive/Troublesome Behaviour

- Could be anything from turning up late, spreading office gossip, all the way through to more serious situations like harassment.
- As it relates to behaviour, dealing with it will likely fall under a business' conduct procedures
- Can be handled Formally or Informally depending on severity

# Impacts of Disruptive Behaviour

- Reduced Morale
- Toxic Culture
- Loss of Top Talent
- Spread of Bad Behaviour
- Decreased Productivity
- Reduced Innovation
- Increased Absenteeism
- Missed Goals
- Increased Turnover Costs

# Impacts of ERA25

- Qualifying service for unfair dismissal reduces from two years to six months from 1 January 2027
- Will only apply to ordinary unfair dismissal claims that currently carry a two year qualifying period
- No change to current day-one claims eg automatic unfair dismissal
- Right to receive written reasons of dismissal will also reduce from two years to six months

# Culture

- To try and prevent situations arising, employers should:
- Have robust EDI, behaviour at work, harassment policies
- Embed a zero-tolerance approach to unacceptable behaviour
- Provide staff with equality training
- Equip managers with the tools to manage difficult situations and have **difficult conversations**

# Difficult Conversations

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# Importance of Difficult Conversations with Disruptive Staff

- Ensure compliance with the law
- Resolve issues swiftly
- Prevent or soothe employee relations issues
- Avoid escalation of workplace problems
- Reduce the risk of an employment tribunal
- Establishes Clear Expectations

# Informal VS Formal Approach

## Formal meetings

- Formal invite with particular requirements likely needed.
- Ensure the employee is given the right to be accompanied if needed.

## Informal meetings

- When acting informally, your opener and body language are important. You could try:
- Would this be a good time to talk?
- I have something I need to discuss, do you have a few minutes spare now?
- I have some feedback I'd like to share if that's ok?

# Preparing For The Conversation

- Can a “quiet word” resolve the issue?
- Is the issue covered by an internal policy?
- When and where is best to have the conversation?
- Who will hold the meeting – line manager? HR? Senior leadership? Is a formal or informal meeting needed?

# Knowing What To Say

When initiating an informal discussion:

- Would this be a good time to talk?
- I have something I need to discuss, do you have a few minutes spare now?
- I have some feedback I'd like to share if that's ok?
- During the meeting, plan for the main points you need to cover.
- Follow up actions; don't overcommit but consider a plan for next steps.

# The Core Steps To Formal Conversations

1. Setting the tone – introduction.
2. Identify the issues, with evidence.
3. Find out why.
4. Agree a way forward.

# Setting The Tone

1. Explain clearly what is to be discussed and that the employee will get a chance to speak.
2. Agree standards of behaviour for discussion. Focus on remaining calm and professional.
3. Focus on the issue, not the person. Use “I” rather than “you”.
4. Cover the rights of the companion if one attends.

# Discussing the issue(s)

1. What is the problem? Why?
2. Refer to examples, dates, or specific interactions.
3. Build on previous discussions.
4. Stick to the plan.

# Why did this issue occur?

1. Employee should be encouraged to tell their side.
2. Explore the issues and question to find out more.
3. Adjourn if necessary to consider new evidence.
4. An opportunity to acknowledge their position and mitigating circumstances, and make the employee feel listened to.

# Moving Forward

1. What does the employee think / want in resolution?
2. Adjourn if necessary, communicate decision once made.
3. Monitor and provide feedback on progress.
4. Follow up on promises for support etc.

# Mediation

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# What is mediation?

- Informal process used to resolve conflict:
- Conducted by an impartial mediator
- Four overarching principles
- Impartiality
- Confidentiality
- Voluntary
- Self-determination

# Benefits of mediation

- Resolves conflict
- Restores teamwork
- Improves working environment
- Improves communication
- Retains employees
- Saves time against formal processes
- Affected parties feel in control

- Professionally Accredited Mediators
- Mediators with experience in a variety of sectors
- 90%+ success rate of Mediators
- No prior interaction with clients
- Focused on restoring harmony in the workplace
- Aftercare Mediation Support

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# Disciplinaries

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# Basic Principles

- Investigation – what happened, when, why and witness information
- Determination of specific allegation
- Suspension, if necessary
- Formal hearing – invite letter, right to be accompanied, provision of evidence
- Appeal

# Outcomes

- On the balance of probability, is the employee guilty of the misconduct?
- Has a similar issue happened before, and if so, how was it dealt with?
- Does the employee have any previous warnings on file and are they still 'live'?
- Has all mitigation been taken into account?

# Communicating the decision

- Can give decision verbally and confirm outcome in writing
- Right of appeal
- Appeal to be held by someone with authority to overturn the decision
- Appeal is the last stage of the process
- Employee could raise a grievance or employment tribunal claim if unsatisfied

# Special Cases

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# Political Opinions

- Workplaces will contain a range of political views and employees have the right to hold their own
- No one should be treated differently based on the political views they hold
- However, if someone is manifesting their political view in a way that is against behaviour, harassment, or discrimination policies, employers can take action

# Behaviour Outside Work

- If it's "in the course of employment", employer can be liable for employee's behaviour outside of work and therefore disciplinary procedures can be applied
- Examples include during a night-out organised through work, such as leaving drinks or a works party

# Social Media and Employee Comments

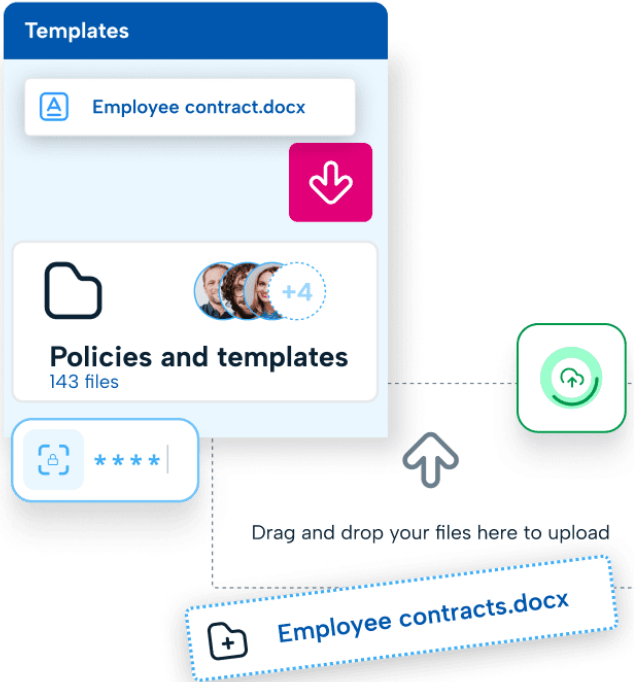
- Employee abusive or inflammatory social media post can cause issues for employers
- Social Media policies can set out rules on:
  - Use during working hours
  - How to manager organisation's social media
  - Prohibiting reference to the employer on employee's personal social media

# Summary

- Understand which processes can be used to manage employees who display troublesome or disruptive behaviour
- Ensure managers are trained and confident in holding difficult conversations
- Consider if mediation can be used to resolve the situation
- If a disciplinary process is required, remember a full and fair process must be followed in line with the Acas Code of Practice
- Know how to deal with 'special cases'

# Additional Support Resources Reminder

health assured



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# Thank you!

Any questions



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