

- Employment Law
- Training
- Advice
- Tribunal
- Documents
- Consultancy
- Telephone Hotline

To catch a thief

Some people are so honest you could leave a huge amount of money on a table and leave the room and know you didn't have to count it when you got back.

Some people are serious thieves and fraudsters and will steal from you regardless of how you organise your business. You need to identify these individuals and remove them from your business as quickly as possible and hand them over to the criminal justice system.

The majority of staff fall in between the two categories: neither rigidly honest nor repeat thieves. A lot of staff start bending the rules or ignoring them, before working their way onwards to repeat theft or fraud.

If your systems are open to abuse, and they see other people stealing without getting caught, the honest but weaker-minded staff may start to do the same. One undetected thief (or fraudster) can set off a chain reaction – the old 'rotten apple' syndrome. Whether it is theft, fraud, fiddling expenses, your staff know what you tolerate, what you condone, and what you see and what you don't.

Many managers believe they can only dismiss for theft if someone is caught red handed – this means they often tolerate months of theft before getting to the point of dealing with it.

A good set of security rules, clear transaction records, and a good investigation can produce valuable information that will stand up in an employment tribunal. The test in an employment tribunal is one of 'reasonable belief' (by the employer in the employee's dishonesty), which is not the same as the criminal test of 'theft proven beyond reasonable doubt'.

Employers cannot jump on every tiny infraction as grounds for instant dismissal, since they need to take the circumstances into account. If security rules are routinely ignored by everyone, it is not usually going to be fair to dismiss one person and leave ten alone. However, with a common sense approach that takes into account the reality of the business practice, most employers find they have far more options than they think.

Managers often find security related disciplinary interviews to be extremely challenging, and end up 'firing' questions at their employee. Good preparation beforehand can help the manager keep the interview as relaxed as possible, and give the employee a proper chance to say what they want to say. Here is a mini checklist of things to review:

- 1) Investigatory/disciplinary rules and policy

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Page 1

This document contains brief general guidance on complex topics. Take specialist advice on particular situations before action.

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- 2) Relevant security rules
- 3) Witness statements (including the individual)
- 4) Internal precedents on what happened to others in similar situation(s)
- 5) Whether employee speaks English properly (watch out for disability or language problems)
- 6) Whether the disciplinary hearing has been convened in writing with companion rights offered
- 7) Whether these documents have already been seen by employee

You will need to use these to prepare for asking questions. How long this will take and what you should ask, will vary according to whether the individual freely admits the breach of rules, (and the documents support this) and whether there is any 'dispute' about key facts .

If you are not used to doing this sort of interview, we can organise online coaching to get you prepared (see below)

In the longer run, the trick is to get the security rules right in the first place, and then to enforce them routinely. If they don't work (and have to be bypassed to get the job done) then the rules should be changed until both security and productivity are satisfied.

If your security rules would work well as a door stop due to their length and weight, you probably need to simplify and streamline your procedures (unless you are a multi national bank with complex processes and procedures!). If you don't have any at all, you are probably leaving yourself open – even the smallest business needs cash handling, goods handling and expenses procedures if nothing else.

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Page 2

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