

RETTENDON PARISH COUNCIL



DISCIPLINARY POLICY

Rettendon Parish Council's Disciplinary Policy is intended to encourage improvement in individual conduct and performance. The procedure below sets out the action to be taken if the Council's rules or acceptable standards are considered to have been breached.

DISCIPLINARY PROCEDURE

1. Introduction

This procedure is intended to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated. At every stage the employee will be advised of the nature of the complaint, be given the opportunity to state their case, and can be represented or accompanied by a person of their choice.

The employee will not be dismissed for a first breach of discipline, except in the case of gross misconduct, when the outcome will normally be dismissal without notice and without pay in lieu of notice. The employee has the right to appeal against any disciplinary action taken against them.

2. Informal Discussions

Before taking formal disciplinary action, the Council will make every effort to resolve the matter by informal discussions with the employee. Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented.

3. First Warning

If conduct or performance of an employee is agreed to be unsatisfactory by the Council, the employee will be given a written warning that will be recorded in their personnel file held by the HR committee, but disregarded after six further months of satisfactory performance.

The employee will be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where a matter is sufficiently serious – for example because it is having, or is likely to have, a serious harmful effect on the Council, it may be considered necessary to move directly to a final written warning.)

4. Final Written Warning

If the matter is serious, or there is no improvement in standards, or a further incident of a similar kind occurs, a final written warning will be given that will include the reason for the warning and a statement that if no improvement or change results within six months, the employee may be subject to dismissal. Unless dismissal involves gross misconduct, employees will receive a period of notice, or payment in lieu.

5. Discipline and Dismissal

If facing dismissal or action short of dismissal, such as loss of pay, the following minimum statutory procedure will be followed:

- a. The employee will receive a written statement setting out the matter and the basis for it.
- b. The HR Committee will arrange a meeting to consider and discuss the matter.
- c. The employee will be given a right of appeal, including an appeal meeting.
- d. The employee will be reminded of their right to be accompanied at any meetings.

6. Gross Misconduct

If investigation by the HR Committee confirms that the employee has committed an offence of the following nature (the list is not exhaustive) the normal outcome will be immediate dismissal without notice or payment in lieu of notice:

- a. theft,
- b. damage to property,
- c. fraud,
- d. incapacity for work due to being under the influence of alcohol or illegal drugs,
- e. physical violence,
- f. bullying,
- g. gross insubordination.

Whilst alleged gross misconduct is being investigated, the employee may be suspended, during which time they will be paid at their normal rate of pay. Any decision to dismiss the employee will be taken by the full Council and only after it considers the matter to have been fully investigated.

7. Appeals

If the employee wishes to appeal against any disciplinary decision, they must appeal in writing within five working days of the decision being communicated to them by the HR Committee.

Councillors who were not involved in the original disciplinary action taken by the HR Committee will hear the appeal and decide the case as impartially as possible

Signed: Chairman Minute No.