



Stapleford Abbots Parish Council

DISCIPLINARY POLICY

Version: 1.3

June 2023

A Scope

This policy applies to the Stapleford Abbots Parish Council. Where the term ‘staff’ is used, this includes any staff (paid and voluntary) working for the Council. This policy is aimed at all Councillors and staff working for Stapleford Abbots Parish Council.

B Confidential Notice & Intellectual Property

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C Document Details

Policy	<i>Disciplinary Policy</i>
Policy Statement	<i>This document sets out a Disciplinary Policy for use by Stapleford Abbots PC</i>
Version Number	<i>1.2</i>
Version Date	<i>05/2023</i>
Review Date	<i>01/04/2024</i>
Author	<i>J Jackson</i>
Responsible Owner	<i>Stapleford Abbots Parish Council</i>
Approving Body	<i>Stapleford Abbots Parish Council</i>

D **Revision History**

Version	Revision Date	Details of Changes	Author
1.1	01/06/2021	Current version	J Jackson
1.2	01/06/2022	Current version	J Jackson
1.3	01/06/2023	Current version	J Jackson

E **Freedom of Information**

If requested, this document may be made available to the public and persons outside the Council as part of Stapleford Abbotts Parish Council’s commitment to transparency and compliance with the Freedom of Information Act.

F **Accessibility**

This document can be made available in other styles, formats, sizes, languages and media in order to enable anyone who is interested in its content to have the opportunity to read and understand it. Any such requests should be made to the Clerk.

G **Dissemination**

This policy will be disseminated to all staff. All staff will have to read this policy at publication and every time there is an update or change to the policy. The Stapleford Abbotts Parish Councillors will have the overall responsibility for implementing the policy.

H **Review**

This policy will be reviewed every year or when new evidence, policy or guidelines come to light necessitating an update / change. The policy review and update will be the responsibility of the Stapleford Abbotts Parish Council.

1. Purpose and Scope

This Disciplinary Policy is based on and complies with the ACAS Code of Practice and aims to maintain good relationships between the Parish Council and its employees by dealing with any disciplinary issues as quickly as possible. The aim of this Policy is to encourage improvement in individual's conduct or performance, when and if necessary. It sets out the action which will be taken when disciplinary rules are breached. This Policy will be applied fairly, consistently and in accordance with the Data Protection Act 1998 and the Equality Act 2010. The Chair will lead any disciplinary process, refer and report to the full Parish Council as appropriate below.

Informal Action

Wherever possible, the Parish Council will try to resolve its concerns about an employee's behaviour and /or performance informally, without starting the formal procedure set out below. No disciplinary action will be taken until the matter has been fully investigated.

The Parish Council and the employee should raise and deal with issues promptly and consistently. If there is a disciplinary case to answer the employee should be informed in writing of the following stages in the Disciplinary Policy. The Chair will take this action and report to the Parish Council any actions taken.

Disciplinary Investigation by an Independent Person

If the Chair feels that there are no Councillors who are independent it will appoint someone from outside the Parish Council. The Investigator will be appointed as soon as possible as the allegations have been made.

Employees have the right to be accompanied by a person of their choice who can address the hearing and respond on behalf of the employee on any views expressed at the meeting and confer with the employee on any views expressed at the meeting and confer with the employee during the hearing. The nominated person does not however have the right to answer questions on behalf of the employee.

The Procedure to be managed by The Chair

Stage 1 – First Warning

If conduct or performance is unsatisfactory, the employee will be given either written warning or a performance note. Such warnings will be recorded, but disregarded after three months of satisfactory improvements or change.

Where the first offence is sufficiently serious. It may be justifiable to move directly to a final written warning.

Alternatively, some acts are so serious in themselves they are termed gross misconduct and may lead to dismissal without notice.

Stage 2 – Final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason

for the warning and a note that if no improvement results with one month, action at Stage 3 will be taken.

Stage 3 - Dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority (as allowed in the contract) or dismissal.

Gross Misconduct

This relates to misconduct that is so serious that it is likely to lead to dismissal with notice.

For example: theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the full Parish Council meeting addressing the reasons for the appeal to the Chair within 5 working days. The full Parish Council as employer will hear the appeal and decide the case as impartially as possible. An Appeal meeting will be held, normally with 5 working days.

Fourth Stage – Appeal Decision

After the Appeal meeting the employee will be given a decision, normally with two working days. The Appeal decision is final.