

Widdrington Station and Stobswood Parish Council

DISCIPLINARY POLICY

1. Purpose

Widdrington Station and Stobswood Parish Council is committed to maintaining high standards of conduct and performance among its employees.

This Disciplinary Policy provides a fair and transparent framework for addressing issues of misconduct or poor performance.

The policy follows guidance from the Advisory, Conciliation and Arbitration Service and sector guidance from the National Association of Local Councils and the Society of Local Council Clerks.

2. Scope

This policy applies to all employees of the Council.

It does **not apply to councillors**, who are subject to the Council's Code of Conduct and the standards regime under the Localism Act 2011.

3. Principles

The Council will ensure that disciplinary procedures are:

- Fair and consistent
- Promptly addressed
- Proportionate to the issue
- Conducted in accordance with employment law

Employees will:

- Be informed of the allegations against them
- Be given an opportunity to respond

- Have the right to be accompanied at disciplinary meetings
 - Have the right to appeal
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4. Informal Resolution

Where appropriate, minor issues may be addressed informally.

This may involve:

- An informal discussion with the employee
- Guidance or additional training
- A verbal reminder about expected standards

Informal action will normally be used where misconduct is minor.

5. Formal Disciplinary Procedure

Where informal action is not appropriate or where the issue is more serious, the formal disciplinary process will be followed.

The steps generally include:

1. Investigation
 2. Disciplinary hearing
 3. Decision and outcome
 4. Right of appeal
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6. Investigation

Before any disciplinary action is taken, the Council will conduct an investigation.

The purpose of the investigation is to:

- Establish the facts
- Gather relevant evidence
- Determine whether disciplinary action is required

The investigation may include:

- Interviews with the employee
- Interviews with witnesses

- Review of documents or records

Where necessary, the employee may be suspended during the investigation.

Suspension is **not a disciplinary penalty** and will normally be on full pay.

7. Disciplinary Hearing

If the investigation indicates that disciplinary action may be required, the employee will be invited to attend a disciplinary hearing.

The employee will receive written notice of:

- The allegations
 - The evidence supporting the allegations
 - The date and location of the hearing
 - Their right to be accompanied by a colleague or trade union representative
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8. Possible Outcomes

Following the disciplinary hearing, the Council may decide to take one of the following actions.

No Action

Where the evidence does not support the allegations.

Verbal Warning

For minor misconduct.

First Written Warning

For repeated or more serious misconduct.

Final Written Warning

For serious misconduct or repeated breaches.

Dismissal

For gross misconduct or where previous warnings have failed to improve conduct.

9. Gross Misconduct

Gross misconduct is behaviour serious enough to justify dismissal without notice.

Examples may include:

- Theft or fraud
- Serious breach of confidentiality
- Harassment or discrimination
- Serious misuse of council resources
- Violent or threatening behaviour
- Serious breach of health and safety

This list is not exhaustive.

10. Right to Appeal

Employees have the right to appeal against any disciplinary decision.

Appeals must:

- Be submitted in writing
- Normally be made within **10 working days**

An appeal hearing will be conducted by councillors who were not involved in the original disciplinary decision wherever possible.

The appeal decision will be final.

11. Record Keeping

Records of disciplinary proceedings will be kept confidential and stored securely.

Records will normally include:

- The complaint or allegation
- Investigation notes
- Meeting records
- Decisions made

Records will be retained in accordance with the Council's **Document Retention Policy**.

12. Confidentiality

All disciplinary matters will be treated confidentially.

Information will only be shared with individuals involved in the disciplinary process.

13. Role of the Council

As a small authority, disciplinary matters are normally handled by a **Personnel Committee** or a panel of councillors appointed by the Council.

The Parish Clerk should not be involved in disciplinary procedures concerning themselves.

External HR advice may be sought where appropriate.

14. Policy Review

This policy will be reviewed periodically to ensure compliance with:

- Employment legislation
 - Government guidance
 - Best practice recommendations from the National Association of Local Councils and the Society of Local Council Clerks.
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15. Adoption

Adopted by:

Widdrington Station and Stobswood Parish Council

Date: _____

Chair Signature: _____

Clerk Signature: _____