

MUNGRISDALE PARISH COUNCIL

DISCIPLINARY POLICY

Document history		
Note of changes	Version number	Date of approval and adoption
Approved & adopted	1	11 May 2026
Reviewed		
Reviewed		

Review sheet		
Each entry in the table below summarises the changes to this Policy and procedures made since the last review (if any)		
Version Number	Version Description	Date of Revision
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MUNGRISDALE PARISH COUNCIL – DISCIPLINARY POLICY (TAILORED FOR SMALL COUNCIL, NO STAFFING COMMITTEE)

1. Introduction

1. This policy is based on the ACAS Code of Practice on Disciplinary and Grievance Procedures (2015).
2. It also takes account of the ACAS Guide on Discipline and Grievances at Work.
3. The purpose of this policy is to help employees improve conduct and performance and to ensure that disciplinary matters are dealt with fairly, consistently, and promptly.
4. Mungrisdale Parish Council has nine councillors and one employee. The Council will apply this policy proportionately and may seek external support where necessary to ensure impartiality and compliance with the ACAS Code.
5. This policy does not form part of the contract of employment and may be amended by the Council.

2. Principles

6. Informal resolution will be considered wherever appropriate.
7. No disciplinary action will be taken until the case has been fully investigated.
8. Employees will be informed in writing of the allegations and given the opportunity to state their case.
9. Employees may be accompanied at any investigatory, disciplinary, or appeal meeting by a workplace colleague, trade union representative, or trade union official.
10. Reasonable notice will be given of all meetings.
11. Confidentiality will be maintained throughout.
12. Audio or video recording is not permitted unless agreed as a reasonable adjustment.
13. Employees have the right to appeal any disciplinary decision.
14. Except in cases of gross misconduct, employees will not be dismissed for a first offence.

3. Informal Action

15. Minor issues may be dealt with informally by the **Chair**.
16. If the matter concerns the Chair, informal action may be taken by the **Vice Chair**.
17. Informal action may include guidance, coaching, or a note of concern.
18. If informal action does not resolve the issue, the formal procedure may be used.

4. Suspension

19. The Council may suspend an employee on full pay where allegations of serious misconduct or gross misconduct are made.
20. Suspension is a neutral act and not a disciplinary sanction.
21. During suspension, the employee must remain available during normal working hours and must not contact witnesses or attempt to influence the investigation.

5. Investigation

22. The Council will appoint an **Investigating Officer**, who may be:
 - a councillor with no prior involvement, or
 - an independent person (e.g., from a neighbouring parish council or CALC).
23. The Investigating Officer will gather evidence, interview relevant parties, and prepare a written report.
24. The Investigating Officer has no authority to impose disciplinary action.
25. The report will recommend either:
 - no case to answer
 - informal action
 - a disciplinary hearing

6. Disciplinary Hearing

26. If a hearing is required, the Council will appoint a **Disciplinary Panel of three councillors** who:
 - have had no prior involvement
 - are not the subject of the allegations
27. If the Council cannot form an impartial panel of three, it may appoint independent persons.
28. The employee will receive written notice of:
 - the allegations
 - the date, time, and venue
 - their right to be accompanied
 - the evidence to be considered
29. At the hearing:
 - The Panel Chair will outline the allegations
 - The Investigating Officer will present findings
 - The employee (or companion) may respond, present evidence, and call witnesses
 - The Panel may ask questions
30. The Panel may adjourn to consider its decision.

7. Disciplinary Outcomes

31. Possible outcomes include:
 - No action
 - Informal action
 - First written warning
 - Final written warning
 - Dismissal with notice
 - Summary dismissal for gross misconduct
32. The employee will receive the decision in writing, normally within **7 calendar days**.

8. Gross Misconduct

33. Gross misconduct is behaviour so serious that it destroys the employment relationship.

34. Examples include (not exhaustive):
- theft, fraud, or dishonesty
 - physical violence or bullying
 - serious breach of confidentiality
 - serious breach of health and safety
 - gross insubordination
 - deliberate damage to Council property
 - accessing offensive or obscene material on Council systems

9. Appeal

35. The employee may appeal any disciplinary outcome by writing to the Council within **7 calendar days**, stating the grounds for appeal.
36. The Council will appoint an **Appeal Panel of three councillors** who were not involved in the original hearing.
37. If insufficient councillors are available, independent persons may be appointed.
38. The employee will be invited to an appeal meeting and may be accompanied.
39. The Appeal Panel may:
- uphold the original decision
 - overturn the decision
 - substitute a different outcome
40. The decision of the Appeal Panel is **final**.

10. Policy Review

41. This policy will be reviewed every three years or sooner if required by legislation or best practice.