

## Employee disciplinary and grievance procedure

### Purpose of the procedure

1. Rottingdean Parish Council requires good standards of behaviour from its employee together with satisfactory standards of work. These disciplinary procedures apply to any misconduct or failure to meet standards of performance or attendance.
2. The purpose of the procedure is to bring about improvement rather than to punish, and it should be recognised that the existence of procedures such as these is to encourage employees to achieve and maintain acceptable standards of conduct, attendance and job performance and to ensure consistent and fair treatment for all employees.
3. This procedure sets out the actions which will be taken if the Rottingdean Parish Council rules are breached.

### Principles

4. If you are subject to disciplinary action:
  - The procedure is designed to establish 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 you will be advised of the nature of the complaint
  - You will be given the opportunity to state your case, and be represented or accompanied by a [fellow employee] of your choice
  - You will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
  - You have a right of appeal against any disciplinary action taken against you
  - The procedure may be implemented at any stage if your alleged misconduct warrants such action.

### Informal discussions/counselling

5. Before taking formal disciplinary action, the Parish Councillor appointed by the Parish Council will make every effort to resolve the matter by informal discussion with you. Only where this fails to bring about the desired improvement should the formal procedure be implemented.

## **The procedure**

### **Formal verbal warning**

6. If, despite informal discussions, your conduct or performance does not meet acceptable standards, you will be given a formal verbal warning by the appointed Councillor. You will be told:
  - the reasons for the warning
  - that this warning is the first stage of the disciplinary procedure
  - that you have the right to appeal.
7. A brief note of the warning will be kept but it will lapse after 6 months, subject to satisfactory conduct and/or performance.

### **Written warning**

8. If there is no improvement in standards, or if a further offence occurs, a written warning will be given. This will state the reason for the warning and a note that, if there is no improvement after one month, a final written warning will be given, and invite you to attend a meeting with the appointed Councillor to discuss the matter.
9. A copy of this first written warning will be kept on file, but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.
10. The meeting will take place only if you have:
  - been informed of the basis for including in the written warning the ground or grounds given in it, and
  - had reasonable opportunity to consider your response to that information.
11. You must take all reasonable steps to attend the meeting. After the meeting, the appointed Councillor will inform you of his or her decision and notify you of the right to appeal against the decision if you are not satisfied with it

### **Final written warning**

12. If conduct or performance remains unsatisfactory or if the misconduct is sufficiently serious to warrant only one written warning, then a final written warning will be given. This will state that any recurrence of the offence or other serious misconduct within a period of one month will result in dismissal. A copy of the warning will be kept on file, but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

### **Dismissal**

13. If there is no satisfactory improvement or if a further serious misconduct occurs, you will be dismissed.

## Gross misconduct

14. If, after investigation, it is deemed that you have committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal:

- theft, fraud, deliberate falsification of company documents
- fighting, assault on another person
- deliberate damage to company property
- sexual or racial harassment
- being unfit to work through alcohol or illegal drugs
- gross negligence
- gross insubordination

15. While the alleged gross misconduct is being investigated, you may be suspended, during which time you will be paid the normal hourly rate. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a time as possible. Any decision to dismiss will be taken only after a full investigation. If you are found to have committed an act of gross misconduct, you will be dismissed without notice or payment in lieu.

## Appeals

16. If you wish to appeal against any disciplinary decision, you must appeal, in writing within five working days of the decision being communicated to you to the Chairman. The committee will hear the appeal and decide the case as impartially as possible. You will be invited to an appeal meeting and you must take all reasonable steps to attend the meeting. The appeal meeting need not take place before the dismissal or disciplinary action takes effect. After the appeal meeting, the Committee will inform you of its final decision.

## Grievance procedure

### Introduction

17. It is the Rottingdean Parish Council's policy to ensure that employees with a grievance relating to their employment can use a procedure, which can help to resolve grievances quickly and as fairly as possible.

### Informal discussion

18. If you have a grievance about your employment you should discuss it informally with the [Bursar]. We hope that the majority of concerns will be resolved at this stage.

### Stage 1

19. If the matter is not resolved you may raise the matter, in writing, with the Chair. You will be invited to attend a meeting with the Chair to discuss the grievance. The meeting will take place only if:

- you have informed the Chair of the basis for the grievance when you raised the matter in writing, and
- the Chair has had a reasonable opportunity to consider its response to that information.

20. After the meeting, the Chair will inform you of the decision as to their response to the grievance and notify you of the right to appeal against the decision if you are not satisfied.

### Appeal

21. If the matter is not resolved to your satisfaction, you may appeal in writing to the Parish Council as a body. You will be invited to attend a meeting with [the Committee] to discuss the matter.

The meeting will take place only if:

- you have informed the Parish Council of the basis for the grievance when you raised the matter in writing, and
- [the Committee] has had a reasonable opportunity to consider its response to that information.

22. You must take all reasonable steps to attend the meeting. You may be represented or accompanied at any meeting by a fellow employee of your choice. After the appeal meeting, [the Committee] will inform you of its final decision.