

Barton Bendish Parish Council

Disciplinary and Grievance Policy

Introduction:

This Disciplinary and Grievance Policy is based on and complies with the 2015 ACAS Code of Practice. It is designed to ensure that the Council and its employees can resolve concerns, grievances, and disciplinary matters in a fair, consistent, and legally compliant manner. The Council encourages the informal resolution of issues whenever possible but recognises the need for a formal procedure when required.

General Principles:

1. **Fair and Consistent Application:** This policy will be applied fairly and consistently, taking into account the Equality Act 2010.
2. **Investigation:** The Council will fully investigate all matters related to disciplinary and grievance issues.
3. **Nature of Complaint:** The policy covers both misconduct and unsatisfactory work performance. Misconduct includes unauthorised absence, poor timekeeping, misuse of resources, inappropriate behaviour, refusal to follow instructions, and breaches of health and safety rules. Gross misconduct may lead to immediate dismissal.
4. **Right to Be Informed:** Employees will be informed in writing about the nature of the complaint against them and given the opportunity to present their case.
5. **Accompaniment:** Employees may be accompanied or represented by a trade union representative or an agreed companion at any disciplinary or investigatory meeting.
6. **Reasonable Notice:** Reasonable notice will be given for all meetings, and employees are expected to make reasonable efforts to attend. Failure to attend may result in the meeting proceeding in the employee's absence.
7. **Suspension:** If an employee is suspended following allegations of misconduct, it will be on full pay and only for the time necessary. Suspension is not a disciplinary sanction.
8. **Confidentiality:** Information related to disciplinary and grievance matters will be kept confidential, shared only with those involved in the process.
9. **Appeal:** Employees have the right to appeal any disciplinary action or grievance decision. The appeal decision is final.

Disciplinary Procedure:

1. **Informal Resolution:** The Council encourages an informal resolution of misconduct issues whenever possible.
2. **Investigation:** In cases requiring formal investigation, the Council will appoint an Investigator, independent and impartial, to examine the facts and provide a report within 20 working days.
3. **Disciplinary Meeting:** If there is a case to answer, staffing committee of three councillors, with no direct involvement in the matter, will be appointed to conduct a disciplinary meeting. The staffing committee will have delegated authority to reach a decision on disciplinary actions. The employee will be informed in writing, given reasonable notice, and allowed to be accompanied.
4. **Disciplinary Actions:** Possible actions include oral warnings, written warnings, final written warnings, or dismissal, depending on the severity and repetition of misconduct.

Grievance Procedure:

1. **Informal Resolution:** The Council encourages employees to settle grievances informally with their line manager whenever possible.
2. **Formal Grievance:** If an issue cannot be resolved informally, employees may submit a formal written grievance to the Chairman or Vice Chairman of the Council.
3. **Investigation:** The Council will appoint a staffing committee of three councillors, with no direct involvement in the matter, will be appointed to conduct a grievance meeting. The staffing committee will have delegated authority to reach a decision on the grievance. The employee will be notified in writing and provided with reasonable notice for a grievance meeting.
4. **Grievance Meeting:** A grievance meeting will be conducted following a similar process as a disciplinary meeting. The employee may be accompanied.
5. **Appeal:** If the employee is not satisfied with the grievance outcome, they have the right to appeal. The appeal will be heard by a panel of three members not previously involved.

Mediation: The Council may consider mediation at any stage of the process, where appropriate and with consent from both parties.

Policy Review: This policy will be reviewed periodically to ensure its effectiveness and compliance with current employment laws and best practices.

Draft November 2023

Review November 2026