

HAYTON PARISH COUNCIL

DISCIPLINARY PROCEDURE

1. Where the Council has reasonable grounds for considering that an employee's work, conduct or omission is such as to warrant disciplinary action it should inform the employee by notice in writing of the nature of the complaint and advise the employee that a disciplinary enquiry is to be held and the nature of the alleged breach of discipline.
2. A disciplinary enquiry shall then be held by the Chairman and Vice Chairman (Council's Disciplinary Panel) – the investigating councillors.

The employee shall be called for interview and given the opportunity to state their case, to ask questions relevant to the case and call witnesses if considered necessary. The employee shall have the right to be accompanied at the enquiry by a recognised trade union official or some other person of their choice.

3. Where the investigating councillors consider that the matter is of a serious nature or, prima facie, gross misconduct the employee shall be given not less than five working days' notice in writing of the date, time and place of the interview, nature of the complaint and informed of their right to be accompanied at the interview.
4. An employee may be suspended on full pay to enable investigations to be made, or where there are grounds for doubt as to the suitability of the employee to continue at work or pending criminal investigation or proceedings.
5. Following the disciplinary enquiry the investigating councillors shall determine the appropriate disciplinary action having regard to the gravity of the offence and the employee's previous record as follows:
 - Minor breaches of discipline – recorded oral warnings/recorded written warnings
 - Serious Misconduct or further minor breaches of discipline:
Recorded final written warning; or
Suspension without pay; or
Dismissal
 - Gross Misconduct – Dismissal

A decision to dismiss or to suspend without pay may be taken only by a Resolution of the Council at a meeting.

6. In the case of a recorded oral or written warning the employee shall have the right of appeal to the full council.

7. The appeal shall be made in writing to the Chairman within ten working days of receipt of the decision of the disciplinary enquiry and shall state the ground of the appeal. The appeal shall be heard as soon as possible thereafter.
8. The employee shall be given not less than seven days' notice of the date, time and place of the appeal hearing and informed that they have the right to be accompanied by a recognised trade union official or some other person of their choice.
9. The decision on the appeal shall be confirmed by letter and no further right of appeal shall exist.
10. Should the disciplinary enquiry adjudge that the employee was not blameworthy, any written reference will be expunged from the employee's record.
11. Provided there have been no further warnings, formal warning shall be expunged after twelve months and for
Final warnings – after a period of two years.

Chairman

Dated