Disciplinary Procedure – KINLET PARISH COUNCIL.

1. INTRODUCTION

1.1 This disciplinary procedure is designed to help and encourage employees to achieve and maintain acceptable standards of conduct and job performance at all times, including the need to: –

– Fulfil the duties specified in their contract of employment.
– Be honest and act beyond suspicion of dishonesty.
– Maintain high standards of integrity and conduct to protect KPC's image and reputation.

1.2 This policy details the disciplinary procedure that will normally be followed in the event of misconduct. The following list provides examples of conduct that will normally be regarded as misconduct leading to disciplinary proceedings. The list is not exhaustive. These are examples only:

– Unsatisfactory time keeping
– Absenteeism
– Failure to comply with rules and regulations applicable to job requirements
– Failure by an employee to perform the duties and responsibilities of his or her post to the standard expected by KPC
– Insubordination
– Any other conduct that from time to time is defined by KPC as amounting to misconduct

1.3 For first instances of minor misconduct the Chairman may speak to the employee informally before implementing a formal disciplinary procedure. However there is no obligation to do this.

2. VERBAL WARNINGS

A Verbal Warning will be issued for most first instances of general misconduct, depending on the seriousness of the offence. If the employee is given a Verbal Warning he or she will be warned of the likely consequences of any further disciplinary offences or a failure to improve his or her conduct to the satisfaction of KPC. A note confirming the Verbal Warning will be placed in KPC's files and a copy will be provided to the employee. A Verbal Warning will normally remain in force for 6 months.

The Verbal Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

3. FIRST WRITTEN WARNING

In the case of a serious offence or repetition of an earlier minor offence the employee will normally be given a First Written Warning. A First Written Warning will be issued by the Chairman at the instruction of the full ie quorate Council and will set out:

i. the nature of the offence and the improvement required (if appropriate) and over what period;

ii. the likely consequences of any further offence or failure by the employee to improve his/her conduct to an acceptable standard;

iii. that further offences will result in more serious disciplinary action; and

A First Written Warning will normally remain in force for 6 months.
The First Written Warning stage of the procedure may be omitted if the offence is of a sufficiently serious nature.

4. FINAL WRITTEN WARNING

If further misconduct occurs within the time period specified in a First Written Warning, or if the misconduct is sufficiently serious the employee will be given a Final Written Warning. A Final Written Warning will be issued by the Chairman at the instruction of the full ie quorate Council and will set out:

i. the nature of the offence and the improvement required (if appropriate) and over what period;

ii. the likely consequences of any further offence or a failure by the employee to improve his/her conduct to an acceptable standard;

iii. that further offences will result in more serious disciplinary action up to and including dismissal; and

Final Written Warnings may also be issued in circumstances where the misconduct is sufficiently serious enough to warrant only one written warning.

A Final Written Warning will normally remain in force for 6 months.

5. DISCIPLINARY PROCEDURE LEADING TO DISMISSAL

5.1 In the case of further misconduct within the time period specified in any Final Written Warning or if the misconduct is sufficiently serious (see 5.2. below) and if KPC deems it to be appropriate to contemplate the dismissal of the employee the
following formal disciplinary procedure will be followed.

5.1.1 The KPC will investigate the alleged misconduct and will establish the facts surrounding the complaint as necessary, taking into account the statements of any available witnesses.

5.1.2 The Chairman at the instruction of the full ie quorate Council will set out in writing the alleged conduct or other circumstances which lead the Council to contemplate dismissing the employee and the basis for the allegation and will send
the employee a copy of the statement inviting the employee to attend a disciplinary meeting of the full KPC to discuss the matter. The employee will be provided with a reasonable opportunity to consider his or her response to the information provided
in the statement before attending the meeting. The employee must take all reasonable steps to attend the meeting.

5.1.3 Disciplinary meetings will normally be convened within 5 working days of the Council sending the employee the written statement referred to in 5.1.2. above.
The employee may be accompanied to any disciplinary meeting by a companion or by a representative of a trade union.

5.1.4 After the meeting the KPC will inform the employee of their decision and any applicable sanction eg dismissal, within 5 working days. The decision will be confirmed to the employee by the Chairman, in writing.

5.2 The following list provides examples of conduct that will normally be regarded by KPC as serious misconduct. This list is not exhaustive. These are examples only:

i. Refusal or repeated failure by an employee to carry out his or her duties.
ii. Falsification of documents or information (including expense claims).
iii. Unauthorised disclosure of confidential information.
iv. Insulting, indecent or offensive behaviour towards whilst acting or purporting to act on behalf of the Council.
v. Serious or repeated harassment.
vi. Incapacity at work due to the influence of alcohol, unprescribed drugs or any other substance.
vii. Wilful damage to Council property.
viii. Theft, unauthorised use or possession of Council property.
ix. Conduct bringing the Council into disrepute.
x. Any other conduct that from time to time is defined by the Council as amounting to gross misconduct.

Reviewed Oct. 2022
Re- Approved Oct. 2024
Re-Approved Dec. 2025
Review Dec 2026