



# Barrowby Parish Council

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## Disciplinary Policy

### Document control

- **Owner:** Staffing Committee
- **Responsible officer:** Clerk / Proper Officer
- **Adopted:** 11.05.2026 (Minute ref: 8e [26/008])
- **Version:** 2026.1
- **Review:** Annually or earlier if legislation/guidance changes
- **Next review due:** January-March 2027 at Staffing for formal adoption at Parish Council May 2027

### 1. Purpose

Barrowby Parish Council is committed to maintaining high standards of conduct, behaviour and professionalism.

This policy sets out the procedure the Council will follow when dealing with issues relating to employee conduct, behaviour, attendance or performance.

The aims of the disciplinary procedure are to:

- Encourage improvement in standards of conduct and behaviour
- Ensure employees are treated **fairly, consistently and transparently**
- Provide a clear framework for addressing concerns
- Comply with **employment legislation and the ACAS Code of Practice**

The Council will seek to resolve concerns **informally wherever possible** before formal disciplinary action is taken.

### 2. Scope

This policy applies to all employees of **Barrowby Parish Council**.

It does not apply to:

- Redundancy situations
- Non-renewal of fixed-term contracts
- Capability procedures relating solely to performance (where a separate capability procedure may apply)

### 3. Key Principles

Barrowby Parish Council will ensure that:

- Issues are addressed **promptly and without unreasonable delay**
- Matters are **investigated before disciplinary action is considered**
- Employees are informed of the **nature of the allegations**
- Employees have the **opportunity to state their case**
- Employees have the **right to be accompanied** at formal meetings
- Employees have the **right to appeal any disciplinary decision**

The Council will follow the **ACAS Code of Practice on Disciplinary and Grievance Procedures**.

Failure to follow the Code may result in employment tribunal compensation being increased.

### 4. Informal Resolution

Where appropriate, concerns about conduct or behaviour should initially be addressed informally.

This may involve:

- A discussion between the employee and their line manager or the Staffing Committee
- Clarification of expected standards

- Guidance or additional support
- An agreed plan for improvement

Informal discussions will normally be confirmed in writing but will **not normally form part of the formal disciplinary record**.

## 5. Investigation

Where a potential disciplinary matter arises, the Council will carry out a **reasonable investigation** to establish the facts.

The investigation may involve:

- Reviewing documents and records
- Interviewing witnesses
- Meeting with the employee concerned

An investigatory meeting is **not a disciplinary hearing** and no disciplinary decision will be made at that stage.

An **Investigating Officer** will normally be appointed by the Council. This may be:

- The Clerk (where the employee is not the Clerk), or
- A member of the Staffing Committee, or
- An external HR advisor where appropriate.

## 6. Suspension

In cases involving potential **serious misconduct or gross misconduct**, the Council may suspend the employee while an investigation takes place.

Suspension:

- Is **not a disciplinary sanction**
- Will normally be **on full pay**
- Will be used only where necessary (for example where there is a risk to others or to the integrity of the investigation)

## 7. Disciplinary Hearing

If the investigation identifies a case to answer, the employee will be invited to a **formal disciplinary hearing**.

The employee will be provided with:

- Written notice of the hearing
- Details of the allegations
- Copies of any relevant evidence
- Reasonable notice to prepare

The disciplinary hearing will normally be conducted by the **Staffing Committee**.

The employee has the right to be accompanied by:

- A trade union representative, or
- A work colleague.

## 8. Possible Disciplinary Outcomes

Following the hearing, the Council may decide one of the following outcomes is appropriate.

### No Action

Where the allegation is not upheld.

### Informal Guidance

Where minor concerns are identified.

### First Written Warning

Issued for misconduct or repeated minor issues.

A first written warning will normally remain active for **6 months**.

### Final Written Warning

Issued where:

- There is serious misconduct, or
- Previous warnings have not resulted in improvement.

A final written warning will normally remain active for **12 months**.

### **Dismissal**

Dismissal may occur where:

- There is **gross misconduct**, or
- There has been repeated misconduct following warnings.

Dismissal decisions will normally be made by the **Staffing Committee acting under delegated authority**, unless the Council resolves otherwise.

## **9. Gross Misconduct**

Gross misconduct is behaviour so serious that it may justify **summary dismissal without notice**.

Examples include (but are not limited to):

- Theft or fraud
- Physical violence or threatening behaviour
- Serious bullying or harassment
- Serious breach of health and safety rules
- Serious breach of confidentiality
- Serious misuse of Council property, funds or IT systems
- Criminal conduct that affects the employee's suitability for their role
- Serious insubordination

Each case will be considered individually.

## **10. Appeals**

Employees have the right to appeal any formal disciplinary decision.

Appeals must:

- Be submitted in writing within **10 working days** of receiving the outcome
- Clearly state the grounds for appeal

Appeals will normally be heard by an **Appeal Panel of councillors who were not involved in the original decision**.

The decision of the appeal panel will be final.

## **11. Record Keeping and Confidentiality**

The Council will maintain confidential records of disciplinary matters including:

- Allegations and evidence
- Investigation findings
- Hearing notes
- Decisions and outcomes

Records will be handled in accordance with the **Data Protection Act 2018 and UK GDPR**.

## **12. Equality and Fair Treatment**

Barrowby Parish Council will apply this policy **fairly and consistently**.

No employee will be treated less favourably on the basis of protected characteristics under the **Equality Act 2010**.

Reasonable adjustments will be made where appropriate.

## **13. Monitoring and Review**

This policy will be reviewed periodically to ensure compliance with employment law, ACAS guidance and best practice.