GRINDON & THORPE THEWLES PARISH COUNCIL

DISCIPLINARY PROCEDURE

1.0 INTRODUCTION

Grindon & Thorpe Thewles Parish Council is a small organisation normally employing only one person, the Clerk. This disciplinary procedure has been designed to reflect that fact.

2.0 PRINCIPLES

No disciplinary action will be taken against the Clerk until the case has been fully investigated, the Clerk advised of the nature of the complaint and informed they have the right to be accompanied. The Clerk will not be dismissed for a first breach of discipline except in the case of gross misconduct. The Clerk will have the right to appeal against any disciplinary penalty imposed.

3.0 MISCONDUCT and GROSS MISCONDUCT

Given the nature of the Clerks' employment, it is difficult to provide exhaustive lists of what would constitute misconduct. Examples would include poor timekeeping, absence without authority, poor financial stewardship and competence issues but this list is not exhaustive. Gross misconduct, for which dismissal without notice may be applied, would be conduct which strikes at the heart of the relationship between the Clerk and The Parish Council and would include serious issues such as fraud or theft.

4.0 ACTIONS:

4.1 INFORMAL ACTION

Minor misconduct will be dealt with informally usually in a confidential one-to-one meeting between the Clerk and the Chair / Chair of Personnel Committee and may result in counselling or an oral warning.

4.2 FORMAL ACTION

The level of formal warning given for misconduct will depend on the seriousness of alleged actions and of previous conduct**.**

4.3 DISCIPLINARY PROCEDURE

If there is a concern about the Clerk's conduct or behaviour, the Clerk will be informed in writing and invited to attend a meeting of the Parish Council's Personnel Committee at which the alleged misconduct will be considered.

4.4 DISCIPLINARY MEETINGS

The time and location of a disciplinary meeting should be agreed with the Clerk. This will normally be without undue delay but allow the Clerk to prepare their case e.g. within 5 days of the letter being sent, where practically possible. At the meeting the Chair of the hearing panel will state the complaint against the Clerk

and present evidence. The Clerk may ask questions, present evidence and call witnesses if advance notice has been given that they will do so.

4.5 OUTCOMES AND PENALTIES

Stage 1 - Written Warning
If the offence is a serious one, or if further to previous formal disciplinary action, a WRITTEN WARNING will be given to the Clerk by the Chair of the Personnel Committee, which will normally lie on file for 12 months, subject to satisfactory conduct.

Stage 2 – Final Written Warning
If there is still a failure to improve, or the misconduct is sufficiently serious, a FINAL WRITTEN WARNING will normally be given to the Clerk warning that dismissal will result if there is no satisfactory improvement. This will normally lie on file for 12 months.

Stage 3 – Dismissal or other sanctions
If conduct is still unsatisfactory or where Gross Misconduct has occurred, DISMISSAL may result. In cases of Gross Misconduct dismissal will normally be without notice.

4.6 SUSPENSION

The Clerk may be suspended on full pay either to allow an investigation to take place or in cases of alleged gross misconduct.

5.0 APPEALS

A right of appeal exists after all stages of the formal disciplinary procedure. The appeal will be heard by a separate panel of elected councillors not involved in the original disciplinary hearing.

6.0 THE RIGHT TO BE ACCOMPANIED

The clerk has the right to be accompanied by a friend or trade union representative at all stages of the formal procedure.

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