



SLAPTON PARISH COUNCIL: DISCIPLINARY POLICY

Approved 12th May 2025, Minute ref: 25:25 c ii

This policy aligns with the ACAS Code of Practice (2015) and relevant employment law. It ensures that employee conduct and performance issues are addressed fairly, consistently, and in line with the Equality Act 2010 and GDPR. Informal resolution is encouraged where appropriate, before formal procedures begin. Misconduct and performance issues will be addressed under this policy if informal performance management proves insufficient.

Key Employee Rights

An employee may be accompanied at all meetings by a colleague or trade union rep. Written notice, evidence, and time to respond will be given at all formal stages. Confidentiality will be maintained throughout. Audio/video recording is not permitted unless agreed as a reasonable adjustment. Appeals are allowed at all formal disciplinary stages.

Types of Misconduct

Misconduct examples include unauthorised absence, poor timekeeping, misuse of council resources, insubordination and health & safety breaches.

Gross Misconduct (likely dismissal without notice) examples include violence, bullying, fraud/theft, substance misuse at work, serious policy breaches, data breaches, viewing offensive content online or disclosure of confidential information.

Informal Action

Minor concerns should be addressed informally by the Chair and documented with a file note. If not resolved, formal disciplinary proceedings may begin.

Suspension

Suspension may occur (with full pay) during serious or gross misconduct investigations. It is a neutral act, not disciplinary. An employee must remain available during working hours and avoid discussing the matter with others.

Disciplinary Investigation

A sub-committee of 3 councillors will be formed, who will appoint an independent investigator (internal or external) with clear terms of reference. The investigator will gather evidence, interview witnesses and submit a report within 35 calendar days (where possible).

The report recommends either:

- No case to answer
- Informal resolution

Disciplinary Meeting

If disciplinary action is necessary:

- A staffing sub-committee (3 Councillors), excluding the investigator, conduct the meeting. No councillor with direct involvement in the matter shall be appointed to the sub-committee.
- The employee receives written notice with details, supporting evidence and their right to be accompanied.

The hearing includes:

- Presentation of findings
- Employee's response and evidence
- Questions from both sides
- A written decision follows within 7 calendar days, including right to appeal

Disciplinary Outcomes

Action	When	Duration on file
First Written Warning	Misconduct	12 months
Final Written Warning	Serious or repeated misconduct	12 months
Dismissal	Gross misconduct or failure to improve after warnings	N/A

All disciplinary actions are confirmed in writing and stored securely. Suspension may occur but is not a sanction.

Appeals

Appeals must be submitted within 7 calendar days of the decision, stating grounds (e.g. unfair process, severity, new evidence). They will be heard by an appeal panel of 3 Councillors, who have not previously been involved in the case.

The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion.

The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

A written outcome will be given within 5 working days and is final.