TALATON PARISH COUNCIL

APPROVED BT TALATON PARISH COUNCIL 1ST NOVEMBER 2023

REVIEWED DECEMBER 2025 PARISH COUNCIL MEETING

DISCIPLINARY AND GRIEVANCE PROCEDURES

Talaton Parish Council (`the Council`) Disciplinary and Grievance Procedures apply to staff employed by the Council. They exist to ensure that problem areas in the work place are solved in a professional expeditious manner and with as much assistance and fairness as possible.

Disciplinary Procedure

1. Purpose of the Procedure

The Council's aim is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when the Council's rules or acceptable standards are breached.

2. The Principles

• This procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

• At every stage you will be advised of the nature of the complaint, be given the opportunity to state your case, and be represented or accompanied by a fellow employee or friend of your choice.

• You will not be dismissed for a first breach of discipline, except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.

• You have a right to appeal against any disciplinary action taken against you.

• The procedure may be implemented at any stage of your alleged misconduct warrants such action.

• If you request, you have the right to be accompanied at a disciplinary hearing by a friend or trade union official.

3. Informal discussions

Before taking formal disciplinary action, the Council`s Staffing Committee will make every effort to resolve the matter by informal discussions with you. Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented.

4. First warning

If conduct or performance is unsatisfactory, you will be given a written warning or

performance note. Such warnings will be recorded, but disregarded after six further months of satisfactory service. You will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where a matter is sufficiently serious – for example because it is having, or is likely to have, a serious harmful effect on the Council, it may be considered necessary to move directly to a final written warning.)

5. Final written warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement or change results within six months, you may be subject to dismissal. Unless dismissal involves gross misconduct, employees will receive a period of notice, or payment in lieu.

6. Discipline and dismissal procedure

If facing dismissal or action short of dismissal such as loss of pay or demotion – the following minimum statutory procedure will be followed:

• You will receive a written note setting out the allegation and the basis for it

• A meeting will be held to consider and discuss the allegation

• You will be given a right of appeal, including an appeal meeting

• You will be reminded of your right to be accompanied at any meetings.

7. Gross misconduct

If after investigation, it is confirmed that you have committed an offence of the following nature (the list is not exhaustive) the normal consequence will be dismissal without notice or payment in lieu of notice – theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination.

Whilst alleged gross misconduct is being investigated, you may be suspended, during which time you will be paid your normal rate of pay. Any decision to dismiss you will be taken by the Council only after full investigation and the consideration of any recommendations made by the Staffing Committee

8. Appeals

If you wish to appeal against any disciplinary decision, you must appeal, in writing, within five working days of the decision being communicated to you by the Council.

Independent members who were not involved in the original disciplinary action will hear the appeal and decide the case as impartially as possible.

Where appropriate, the opportunity for mediation will be put forward at any stage of a disciplinary procedure.

Grievance Procedure

1. Introduction

It is the Council's policy to ensure that employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and as fairly as possible.

2. Informal discussions

If you have a grievance about your employment you should communicate this either

verbally or in writing to the Staffing Committee. In the case of a grievance raised by the Clerk to the Council (`the Clerk`) the Clerk`s line manager will be the Chair of the Council (`the Chair`) or in his/her absence the Vice-Chair of the Council (`the Vice-Chair`)who will handle the complaint.  If an informal or formal grievance matter raised by the Clerk relates to the Chair or Vice-Chair this should be communicated to a member of the Staffing Cttetgo handle the Clerk`s concerns. We hope that the majority of concerns will be resolved at this stage.

3. Grievance procedure

If you feel that the matter has not been resolved through informal discussions, you may raise the matter formally with the Council.

You will be invited to attend a meeting to discuss the grievance and be notified in writing of the decision. You have the right to be accompanied by an employee, friend, or trade union representative at all grievance meetings.

You will be given the right to appeal against the decision.

4. Appeals

Any appeal will be considered by members of the Council who were not involved in the original hearing, and who will decide the case as impartially as possible.

Where appropriate, the opportunity for mediation will be put forward at any stage of a grievance procedure.