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| Report to: | Employment and Staffing Committee 15 th July 2021 |
| Lead Cabinet Member: | Cllr John Williams |
| Lead Officer: | Susan Gardner-Craig |

Disciplinary Policy Review

Executive Summary

1. To ensure that our policies are always up to date, we review them regularly and update them based on best practice and employment law legislation. We also consider feedback from our managers and staff. Our disciplinary policy was last reviewed in 2012.

Key Decision

2. No

Recommendations

3. It is recommended that the committee approves the reviewed policy

Reasons for Recommendations

4. The updated policy will allow us to better respond in a timely and effective manner to acts of misconduct undertaken by our employees.

Details

5. The disciplinary policy was last reviewed in 2012 and since then there have been several changes in the Council's structure and ways of working which needed to be reflected in the reviewed policy. These include updating the hierarchy to reflect the new structure of the Council and to adapt the language to be more gender-neutral. We have also updated the list of possible offenses to better reflect the increased use of technology and electronic communication.

6. Feedback from employees, managers and unions has been that they find the multiple levels of the disciplinary policy confusing, and do not always understand why certain cases are heard at a certain level. In order to improve this, we have reduced the number of levels of offense from four to three. These are now:
 - Level 1 - For minor offences (level 1 warning)
 - Level 2 - For serious misconduct or repetition of a minor offence (level 2 warning)
 - Level 3 - For gross misconduct or repetition of serious misconduct (final warning or dismissal (including summary dismissal))
7. This will better allow managers to ensure cases are heard at the right level, and simplify the process if an employee commits multiple offenses.
8. We have also reduced some of the timeframes for when meetings are held, to better allow us to respond to situations faster and reduce the stress placed on employees while waiting for an outcome.

Options

1. To approve the reviewed policy
2. To decline the reviewed policy and request further changes be made

Implications

9. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Legal

10. The reviewed policy has been written in accordance with the ACAS Code of Good Practice and all relevant employment law legislation.

Staffing

11. The reviewed policy will allow us to better respond to allegations of misconduct from our employees.

Health & Wellbeing

12. The changes proposed in our reviewed policy will help us reduce the impact of stress from a disciplinary situation, by allowing us to respond faster. This will benefit both the employees, by delivering them with an outcome sooner, and our investigating managers by reducing the additional work pressure placed on them by the investigation.

Consultation responses

13. As part of the policy review Unison and GMB have been consulted and have provided feedback which has been incorporated into the policy.

Appendices

Appendix A: Draft reviewed disciplinary policy

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