

Shirland and Higham Parish Council

Dismissal and Disciplinary Procedures

1. Introduction

These procedures will normally apply where the Council wishes to dismiss an employee (on grounds of capability, conduct, redundancy, expiry of fixed term contract or retirement); or take other actions against an employee (on grounds of conduct or capability).

2. General Principles

These procedures are subject to the following general principles:

- each step in the procedure must be undertaken without unreasonable delay;
- the timing and location of meetings must be reasonable;
- the meetings must be conducted in a manner that enables both Council and employee to explain their case;
- at meetings the Council will be represented by either the Chair or Vice Chair except in the case of an appeal against dismissal when the Council will be represented by three Members.

3. Stages in the Procedures

Stage 1: Statement of grounds for action and invitation to meeting

The Council will set out in writing the employee's alleged conduct, characteristics or other circumstances which have led it to contemplate disciplinary action or dismissal.

The Council will send the statement to the employee and invite the employee to a meeting to discuss the matter(s).

Stage 2: The Meeting

The meeting will be held before any action is taken by the Council, unless the disciplinary action consists of suspension.

The meeting will take place if:

- a. The Council has informed the employee of the grounds for the allegations as set out in the statement as required by stage 1 and;
- b. The employee has been given a reasonable opportunity to consider their response to that information.

The employee must take all reasonable steps to attend the meeting. After the meeting the Council will inform the employee of its decision and notify the employee of the right to appeal against the decision if they are not satisfied.

Stage 3: The Appeal

If the employee does want to appeal, they must inform the Council.

The council will then invite the employee to attend a further meeting.

After the appeal meeting the Council will inform the employee of its final decision.

4. The Right to be Accompanied

Employees attending any meetings under these procedures have a right to be accompanied in accordance with the provisions of the Employment Act 1999.