

Policy Document



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Disciplinary Policy

1. Disciplinary procedure

- 1.1. Disciplinary action may be taken against any employee who fails to meet satisfactory standards of conduct (whether during work hours or not) or attendance or job performance or who fails to comply with our rules set out in the Staff Handbook or otherwise or any lawful instruction of ours.
- 1.2. If you wish to appeal any disciplinary decision you may applying in writing to the designated person in accordance with our disciplinary Procedure.
- 1.3. If you should be suspected on reasonable grounds of any act of misconduct, you may be suspended on full pay whilst an investigation is carried out. Suspensions should be as brief as possible and will be kept under review. Suspension is not in itself a disciplinary action.
- 1.4. [An informal Oral Warning may be issued if you commit a relatively minor misdemeanour or fail to meet any standard of ours. An informal Oral Warning will not be recorded.]
- 1.5. A Formal Written Warning may be issued if you commit any act of misconduct or fail to meet any standard of ours. A Formal Written Warning will be entered on your personnel record and will remain on record for a period of 2 years commencing on the date of the written warning.
- 1.6. A Final Written Warning may be given in the following circumstances:
 - 1.6.1.if, after one or more Formal Written Warnings, you either fail to reach the required standard within a reasonable time and thereafter maintain it or commit a further act of misconduct (of whatever nature) or
 - 1.6.2.if you commit a serious act of misconduct.
- 1.7. A Final Written Warning will be entered on your personnel record and will normally remain on record for a period of 12 months commencing on the date of the written warning. In exceptional circumstances this period may be extended at the time when the warning is given and you shall be informed of what longer period shall apply.

- 1.8. Before any formal disciplinary hearing takes place, an investigation will be undertaken. This may, where appropriate, involve an investigatory meeting with you. An investigation will not by itself result in disciplinary action without a disciplinary hearing.
- 1.9. Before disciplinary action is taken, a meeting will be held. We will endeavour to ensure that this meeting takes place without unreasonable delay, subject to allowing you to properly prepare your case. Where possible, the hearing should be conducted by someone other than the person who carried out the investigation. You will be notified in advance of the meeting and We will set out in writing in this notification:
 - 1.9.1. Your alleged conduct;
 - 1.9.2. the reasons why this has led us to contemplate dismissing or taking disciplinary action against you;
 - 1.9.3. the evidence to be relied on. So far as is reasonably practicable, copies of this evidence (including any witness statements) should be sent with the letter and you should be informed if witnesses will be called at the disciplinary hearing;
 - 1.9.4. the time, date and place of the disciplinary hearing;
 - 1.9.5. Your right to be accompanied during the hearing by a work colleague or trade union representative; and
 - 1.9.6. (where appropriate) that dismissal is a possible outcome.
- 1.10. You should, where practicable, give advance notice of an intention to call relevant witnesses or to exercise your right to be accompanied by a work colleague or trade union representative.
- 1.11. You must take all reasonable steps to attend the meeting. At the hearing, we will explain the complaint and go through the evidence gathered. You may:
 - 1.11.1. set out your case and answer allegations
 - 1.11.2. have a reasonable opportunity to ask questions, present evidence and call relevant witnesses
 - 1.11.3. raise points about any information provided by witnesses
- 1.12. After the meeting you will be notified of the decision in writing and notified of your right of appeal. If a Formal or Final Written Warning is issued, you will be informed of:
 - 1.12.1. the nature of the misconduct or poor performance
 - 1.12.2. (where appropriate) the change required and the timescale for this change

1.12.3.how long the warning will remain current

1.12.4.the consequences of further misconduct, or failure to improve, within this period.

1.13. If you are dismissed, you will be informed of:

1.13.1.the reasons for the dismissal;

1.13.2.the date on which the employment contract will end and any appropriate period of notice.

1.14. Following a disciplinary meeting, you may be dismissed without notice (in which event you will not be entitled to any further payment except such sums as shall have accrued due at the date of dismissal) and without having first been given a warning in respect of any matter, if you are found to be:

1.14.1.in breach of any disciplinary rule or if you fail to perform your duties competently, efficiently, diligently or to the best of your skill and ability, after receiving a Final Written Warning which remains on record in relation to any earlier breach or failure of any nature;

1.14.2.guilty of dishonesty, whether or not during the course of employment; or

1.14.3.guilty of any act of gross misconduct.

1.15. You may appeal against any disciplinary sanction. Written notice of appeal must be given to us within 5 working days of the disciplinary action complained of and this notice should set out the grounds for the appeal.

1.16. You will be notified in advance of the appeal hearing, invited to attend and given an opportunity to state your case. You have the right to be accompanied by a representative of your choice who is also an employee of ours or a trade union representative. You must take all reasonable steps to attend the meeting. You will be notified in writing of the appeal decision.