

# SHADOXHURST PARISH COUNCIL

## EMPLOYMENT POLICY AND PROCEDURES

The members of Shadoxhurst Parish Council are committed to eliminating discrimination and encouraging diversity among employees and to treat all employees fairly and help and encourage their true potential.

- The Parish Council's commitment is to:
- Create an environment in which the contributions of all staff are recognised and valued
- Recognise individual differences
- Ensure that no form of bullying, harassment or intimidation is tolerated
- Train, develop and make available progression opportunities to all staff
- Ensure equality in the workplace
- Review all employment practices and procedures to ensure fairness
- Treat breaches of the council's equality policy as misconduct
- Monitor and review this policy annually

### **APPOINTMENT OF STAFF**

Vacancies will be advertised on the Parish Notice Boards and the Website.

Advertisements for a replacement Clerk will be sent to the Kent Association of Parish Councils for inclusion on their website.

Three members of the council will interview candidates and their recommendation will be put to the full council at a council meeting at which the final decision will be made.

### **SALARY REVIEWS**

An allowance for salary increases will be included in the budget.

Salaries will be reviewed annually at the Annual Parish Council meeting.

### **DISCIPLINARY PROCEDURE**

Any complaint or allegation regarding the conduct or the performance of an employee should be referred to The Clerk.

In the event that a complaint or allegation is made against The Clerk the matter should be referred directly to The Chairman.

Minor misdemeanours should be dealt with informally by The Clerk or The Chairman.

If it is decided that the offence is considered serious or there has been no improvement within 3 months the employee will receive a performance improvement note from The Clerk or the Chairman, which will set out the nature of the offence, the improvement required, a timescale where applicable and the consequences of no improvement or further misconduct. If there is no improvement following the performance improvement note, the Clerk or Chairman shall notify the Council who will convene a meeting of the Disciplinary Committee to discuss the case and the disciplinary procedure may be initiated as set out below.

An employee of the Council attending such a disciplinary hearing may be accompanied by a representative of the Trade Union to which they belong (who may or may not be a work colleague) or by a work colleague, friend or advisor not acting in a legal capacity.

The timescales listed below will be adhered to wherever possible. However, where there are good reasons, e.g. the need for further investigation or the lack of available witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.

#### **STAGE 1: FORMAL VERBAL WARNING**

If conduct does not meet the acceptable standards a formal verbal warning will be given. Continued or repeated misconduct may result in further disciplinary action. A note of the warning will be placed on file and will be reviewed after six months. If conduct has been satisfactory the note will be disregarded for further disciplinary purposes.

#### **STAGE 2: FORMAL WRITTEN WARNING**

Stage 2 will take place where, for example:

- the breach of conduct is a serious one or;
- the misconduct is serious or is repeated.

The formal written warning will give details of the complaint and will warn that dismissal or some other specific action will result if there is no satisfactory improvement within the specified period. A copy will be placed on file and will be reviewed in 12 months and if conduct has improved the note will be disregarded for further disciplinary purposes (although in exceptional cases the review period may be longer or the formal written warning may not be disregarded).

#### **STAGE 3: FINAL WRITTEN WARNING**

Stage 3 will take place where, for example:

- misconduct is sufficiently serious or;
- following a formal written warning, there is a further incident of misconduct (whether or not of the same nature) within the specified period.

The final written warning will state that if conduct does not improve during a specified period, dismissal, or some other specific action, will result. A copy will be placed on file and will be reviewed after 12 months. If conduct has improved the note will be disregarded for further disciplinary purposes (although in exceptional cases the review period may be longer or the formal written warning may not be disregarded).

#### **STAGE 4: DISMISSAL**

Stage 4 will take place where, for example:

- misconduct is sufficiently serious or;
- following a final written warning, there is a further incident of misconduct (whether or not of the same nature) within the specified period.

The Disciplinary Committee will decide “in camera” whether dismissal is justified and will communicate the decision to the parties concerned verbally after the close of the meeting should the parties so wish.

In the event that the Disciplinary Committee is unable to make a decision for some reason, the reason will be communicated to the parties concerned in writing.

Any decision will be conveyed to the parties concerned within 5 working days by the Disciplinary Committee.

#### **DISCIPLINARY INVESTIGATIONS**

The Parish Council is committed to ensuring that all the potential infringements of disciplinary rules are fully investigated. This may entail carrying out interviews and any third parties such as witnesses, colleagues and councillors, as well as analysing written records and information.

#### **GROSS MISCONDUCT**

The Parish Council reserves the right to dismiss, without notice if, in the opinion of the disciplinary committee there is an act of gross misconduct.

**APPEALS PROCEDURE**

There is a right to appeal against any formal disciplinary action. An appeal cannot be made against an informal oral warning or performance note. If the employee wishes to appeal the decision he/she must do so within 21 working days of the decision notice.

On receipt of notice of appeal, the council will convene a meeting of the Staff Appeals Committee within 10 working days.

The Staff Appeals Committee will consider the case according to this Procedure and will communicate their decision in writing to the parties concerned.

The decision of the Staff Appeals Committee shall be final, except in the case of dismissal of the Clerk to the Council which has to be referred to the full Council for a final decision.