

## Wingerworth 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 action against an employee (on grounds of conduct or capability).

### 2. General Principles

These procedures are subject to the following general principles:

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

### 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 or a copy of it 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 not take place unless:

- a. the Council has informed the employee of the grounds for the allegations as set out in the statement issued under 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 that 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: appeal.

If the employee wishes to appeal, they must inform the Council.

If the employee informs the Council of their wish to appeal, the Council must invite the employee to attend a further meeting.

The employee must then take all reasonable steps to attend the meeting.

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

## 2. The Right to be Accompanied

Employees attending any meetings arranged under these procedures have the right to be accompanied by either a colleague or a trade union representative in accordance with the provisions of the Employment Act 1999.