

## **For Publication**

### **Disciplinary Policy**

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Meeting: Employment And General Committee

Date: 18 March 2019

Report By: Sandy Gillham-Hardy, HR Business Partner

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#### **1.0 Purpose of Report**

To provide information regarding minor amendments to the Disciplinary policy and to recommend for approval.

#### **2.0 Background**

The aim of the policy is to help and encourage all Chesterfield Borough Council employees to achieve and maintain the highest possible standards of performance and conduct, and to promote the prompt, equitable and consistent treatment of staff where breaches of discipline are alleged.

In April 2017 the Disciplinary policy was approved at the Employment and General Committee and is due for review in April 2020, however it became clear that minor amendments should be made at this stage.

In some cases during an investigation it becomes clear that the alleged misconduct is proven due to the admission of the employee being investigated or overwhelming evidence in support of the allegation(s). In these cases, following submission of the investigation report, if the alleged misconduct is not deemed to constitute gross misconduct then it is proposed to include in the policy that the employee can agree to the matter being resolved and a Level 2 first written warning applied without the need to convene a disciplinary

hearing. The policy has been amended on page 11 to reflect the issuing of a disciplinary sanction at level 2, first written warning without the need for a hearing.

It is also proposed to clearly state in the Disciplinary policy that CCTV would be used as evidence during an investigation and hearing. The policy has been amended on page 5 under principles to include the use of CCTV when undertaking an investigation or in a hearing.

There have been no further changes to the policy.

Trade union colleagues have been consulted on the content of the policy and compromises have been reached throughout.

### **3.0 Proposed Procedure**

The revised policy can be found at appendix A.

A full Equality Impact Assessment was completed in January 2017 which would still be relevant and is attached at appendix B.

### **4.0 Employer - Trade Union Committee**

The proposed policy was submitted to the Employer trade union Committee on 28 January 2019 and was endorsed for submission to Employment and General Committee.

### **5.0 Recommendations**

That the revised Disciplinary Policy be approved.

For further information on this report, contact Kate Harley.