



**Report to:** Council

**Date of Meeting:** 26 June 2006

**Report from:** Head of Organisational Development

**Title of Report:** Disciplinary and Dismissal Policy & Procedure

**Agenda Item Number:** 13

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**1. PURPOSE AND SUMMARY**

- 1.1 The purpose of this report is to recommend revisions to the Council's existing Disciplinary and Dismissal Policy and Procedure following a recent review of the effectiveness of the current policy.
- 1.2 It is recommended that Members approve the amendments.

**2. CONSULTATION**

- 2.1 Consultation has taken place with the Corporate Management Team, recognised trade unions and Service Team Managers.

**3. CORPORATE PLAN AND PRIORITIES**

- 3.1 This report supports Priority 7 of the Council's Corporate Plan – Maximising Efficiencies.

**4. IMPLICATIONS**

4.1 Financial

There are no direct financial implications as a result of this report.

4.2 Legal

This policy and procedure complies with all relevant legislation, in particular the requirements of the Employment Act 2002 relating to the statutory changes to dismissal and disciplinary procedures.

#### 4.3 Personnel

There are no direct Personnel implications as a result of this report.

#### 4.4 Other Services

There will be no direct implications for other services.

#### 4.5 Diversity

This policy complies with the Council's commitment to equality and diversity in employment and the Equal Opportunities Statement. Care has been taken in drafting this policy and procedure to ensure that the Council do not unjustifiably discriminate against any minority group. The policy and procedure has undergone a diversity impact assessment by the Equalities and Diversity Project Team.

#### 4.6 Risk

The main risk associated with not approving the attached policy is that the Authority will fail in meeting its legal requirements relating to discipline and dismissal.

#### 4.7 Crime and Disorder

There are no known implications for Crime and Disorder.

#### 4.8 Other Implications

There are no other known implications as a result of this report

### **5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL**

5.1 The Council's Disciplinary and Dismissal Policy and Procedure was approved by members in early 2005, however a recent review of the effectiveness of this procedure has led to some minor amendments.

5.2 The main revisions to the policy are as follows:

Revised guidance in relation to the handling of investigations, with greater clarity as to the process which should be followed by investigating officers.

Revised guidance in relation to suspension from duty with greater clarity as to the circumstances which may warrant suspension from work.

Revised guidance in relation to appeals with greater clarity on procedures.

**6. RECOMMENDATIONS**

6.1 It is proposed that the attached revised policy is approved.

**7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO**

7.1 Employment Act 2002