

To: Finance, Resources and Customer Services Policy Board

On: 13 June 2024

Report by: Director of Finance and Resources

Heading: 'People Strategy 2021-26' - Revised HR&OD Policies

1. Summary

- 1.1 As part of our People Strategy 'Our People Our Future 2021-2026' approved by Members in March 2021, key work continues to be progressed by officers in relation to the HR&OD Policy Review Plan. The review plan helps to improve the workplace culture and staff experience by creating the right conditions for change, to deliver future modernised and sustainable services.
- 1.2 Modern and inclusive HR&OD policies will create the right supportive foundations to ensure they adequately empower and support the level of organisational and cultural change we require. This policy review has incorporated our Council values and has a clear focus on flexibility, health and wellbeing, equality, diversity, and inclusion.
- 1.3 The purpose of this report is therefore to seek approval from members to implement the two policies attached in Appendices 1 & 2. These include:
- People, Performance and Wellbeing Policy (formerly known as People, Performance and Talent Policy) at **Appendix 1**.
 - Revised Disciplinary Policy at **Appendix 2**.
- 1.4 Consultation has taken place with the Trade Unions and Services and feedback has informed the development of these policies. These policies have been modernised and are updated in line with best practice, our values and employment legislation.

- 1.5 Following approval from Members, additional guidance and training will continue to be developed to support the implementation of these policies. These policies will be fully implemented in the next few months. Communications will also be distributed to all managers and employees within the Council via the normal channels.
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2. Recommendations

- 2.1 It is recommended that members:
- Approve the revised HR&OD Policies at **Appendices 1 & 2.**
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3. Background

- 3.1 Our workforce of the future requires to be skilled, flexible, adaptive, and motivated, committed to driving continuous improvement to achieve the Council's vision and values which meets the needs and expectations of our communities.
- 3.2 These revised policies, developed in line with ACAS guidelines and best practice, provide a framework for supporting continuous service improvement and handling any concerns in relation to conduct or performance in a fair, structured, and supportive manner.
- 3.3 Through the implementation of these policies, the Council will promote and encourage employees to fully utilise all the supportive provisions available.

4. Revised HR&OD Policies

- 4.1 To help improve the employee experience in Renfrewshire, we aim through our policies to provide a workplace where our people feel valued and supported to undertake their role, realise their full potential, and are encouraged to consider their own goals and career aspirations.
- 4.2 We know our people perform most effectively when the expectations of their job role, work objectives and the wider Council aims are made clear. As a supportive and inclusive employer, we also recognise how important their commitment and performance contribute to effective service delivery.
- 4.3 **The People, Performance and Wellbeing Policy** attached at **Appendix 1** replaces the current People, Performance and Talent Policy. It provides a focus on improving how we manage and support the performance, development, and the wellbeing of our people. It now aligns a key principle from the Health and Wellbeing Plan where managers will now be trained and supported on managing wellbeing matters, including trauma awareness to better understand how their support can positively impact on performance, development and health and wellbeing.

4.4 Performance will be supported and managed by having structured 'quality 1-2-1 conversations' with at least one yearly conversation as a minimum being held between managers and their people to set performance standards and expectations. Training needs and aspirations will also be discussed along with any areas for improvement.

4.5 The key changes to the policy include:

- The introduction of a phased cycle of continuous improvement ("Evaluate" "Meet", "Support" and "Review") will ensure our people are skilled to support organisational change and meet expected performance standards.
- Embedding the Council's values into performance and development discussions to support our people "living the values" and performing to expected standards of behaviour.
- Introducing a greater focus on wellbeing, including trauma awareness so a manager and employee can openly discuss the impact health has on their performance, and explore the support provisions available from the council.
- The Council being able to identify skills gaps across its workforce and provide appropriate investment to support continuous development.
- The Council setting its expectations that continuous unsatisfactory performance cannot be sustained and provides a framework for supporting under performance.
- The annual recording and reporting of 1-2-1 quality conversations and supported improvement plans.

4.6 The revised **Disciplinary Policy attached at Appendix 2** demonstrates the Council's commitment to developing and maintaining constructive relations with all our people to promote an environment where they can perform at their best. We trust that our employees will always strive to meet the high standards we and the public expect but recognise that concerns regarding conduct and performance can arise.

4.7 When these matters arise, the revised policy will support managers to deal with conduct issues fairly, consistently, and quickly. Separate processes have been developed to deal with cases related to defalcation or alcohol or substance use, which may require support in addition to, or separate from, the disciplinary process.

4.8 The key changes to the policy include:

- Greater emphasis on accessing available supporting provisions whilst going through a disciplinary process, i.e., our employee assistance programmes.
- Greater awareness on health or trauma related matters which may impact on a person's behaviour and/or conduct.
- Concluding a disciplinary outcome within a period of 3 months (investigation, hearing and appeal).

- The removal of the council's defalcation process from the policy which will now sit outside the disciplinary process with Audit.
- Introduces an informal resolution process aimed at improving minor misconduct breaches without the need for a formal process.
- Details the importance of having an objective, consistent and structured process when carrying out investigations.
- Removal of an oral warning with only 2 formal stages remaining, a written warning and a final written warning.
- Embedding the Council's values into all stages of the disciplinary process so conduct matters are dealt with fairly and in a supportive manner.

Implications of the Report

1. **Financial** - The Council's ongoing financial sustainability is dependent on the ability of the Council to transform and modernise services.
2. **People & Organisational Development** - As outlined in the report.
3. **Community Planning** – None.
4. **Legal** – These policies have been prepared in accordance with current employment legislation.
5. **Property/Assets** – None.
6. **Information Technology** – None.
7. **Equality & Human Rights**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** - As outlined in the report.
9. **Procurement** – None.
10. **Risk** – None.
11. **Privacy Impact** – None.

12. **Cosla Policy Position** – None.

13. **Climate Risk** – None.

List of Background Papers

None

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APPENDIX 1

Issue Number: 1

Issue Date: 6/24

Review Date: 6/26

This document is available in alternative formats on request.

People, Performance and Wellbeing Policy

This policy applies to Local Government Employees (excluding the Chief Executive, Chief Officers and Teachers)



Renfrewshire
Council

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VERSION CONTROL

Version	Date	Details of Review/Revisals made	Next Review date
1	June 2024	This policy replaces the current People, Performance and Talent Policy (PPT)	[June 2026]

1. Introduction

- 1.1 The Council recognises that our people perform most effectively when the expectations of their job role, work objectives and the wider aims of the Council are made clear to them. As a supportive and inclusive employer, we recognise the commitment and performance of our people, and we aim to provide a workplace where they can feel valued and supported to undertake their role and are encouraged to consider their own goals and career aspirations.
- 1.2 We continue to operate in an environment dominated by change and continuous improvement. The People, Performance and Wellbeing Policy (PPW) supports and compliments the Council's workforce planning approach by enabling services and colleagues to review performance and identify areas for development that align with the Council's Values.
- 1.3 We have several policies which support the PPW Policy. Those impacted by capability as a result of sickness absence or conduct, may require to be managed, using Managing Absence Policy or the Disciplinary Policy.

2. Purpose and Aims

- 2.1 The purpose of the PPW Policy is to support the Council's culture of continuous service improvement through providing a policy which ensures your performance, development and expectations are reviewed fairly and effectively and that objectives, aligned to the Council's priorities are agreed with you and supported by your manager.
- 2.2 There are a wide and diverse range of roles across the Council and the requirements for supporting performance and development may vary between services and roles. Your role plays an essential part in contributing to the Council's effective service delivery and this policy aims to ensure that we invest in you with valuable and meaningful focus.
- 2.3 The PPW Policy aims to:
 - Ensure you have a discussion about your performance, development, wellbeing and aspirations and as a minimum have an annual conversation, resulting in meaningful objectives and a positive employee experience;
 - Create a culture of continuous improvement, engagement, motivation and workforce resilience;
 - Support organisational change to ensure we continue to meet future service demands and remain sustainable;
 - Ensure you understand the performance standards and behaviours that are expected of you and how these positively impact on both your own, your team and the Council's performance;
 - Enable investment in your development by identifying any skills gaps and providing appropriate support;
 - Provide support if you are not meeting the minimum standards expected of your role, by discussing reasons for this and identifying solutions.

- Support the Council's Equality, Diversity, and Inclusion Plan by making reasonable adjustments wherever possible, particularly for those protected under the Equality Act 2010, to enable everyone to achieve their objectives and reach their full potential.

3. Scope

- 3.1 The PPW Policy applies to Local Government Employees only. It does not apply to the Chief Executive, Chief Officers or Teachers, as alternative provisions are in place for these employees.
- 3.2 Where services and partner organisations have existing arrangements in place to support performance and development needs, for example, Supervision and Professional Development for Social Workers, Health and Social Care Partnership provision or professional development commitments, these will continue as the PPW Policy has been aligned to these.

4. Responsibilities

- 4.1 You, your manager and your service have a collective responsibility to follow the principles outlined in this policy. We require you to take accountability for your own performance and development which will be supported by your manager. More information is detailed in the [PPW Supporting Guidance](#).

5. Best Practice

- 5.1 The PPW Policy has been developed in line with relevant ACAS guidelines on effective performance management and best practice. Feedback was also obtained from a range of key stakeholders to ensure the needs of our people are met.

6. People, Performance and Wellbeing (PPW) Cycle

- 6.1 The PPW Policy follows a continuous improvement cycle with four phases – Evaluate, Meet, Support and Review. The four phases of the cycle are to:
- **Evaluate:** Assess your wellbeing, performance and development against the Council's Values and job specific skills;
 - **Meet:** Identify and agree gaps and job specific objectives aligned to the Council's Values and priorities;
 - **Support:** demonstrate an ongoing commitment to your continuous development to achieve your objectives;
 - **Review:** Record your performance against agreed objectives and if required, agree an action plan to support continuous/ongoing commitment to these.

7. Our Council Values

- 7.1 Our Values guide how we deliver services and make decisions every day. Our Values are for everyone working in the Council. They shape how we interact with the people we work with, our local communities, partners and all of our stakeholders.

7.2 Our Values help you to understand that your role plays a part in ensuring that the Council performs to its highest potential and keeps you and your colleagues engaged and committed to performing, whilst achieving your own goals and personal development. Our Values are:

- We are **fair**. We treat each other and everyone we deal with respectfully and work hard to build trust in Renfrewshire Council.
- We are **helpful**. We care about getting things right and are always approachable.
- We are **great collaborators**. We work as one team and with people who care about this place.
- We **value learning** to help us innovate, improve and deliver better services.

7.3 Our Values provide the positive standards of behaviour you should demonstrate every day. You must consider our Values in relation to your job role, providing examples of how you live these values. Your manager will discuss at your PPW meeting any relevant development needs you may have.

8. Supporting Performance

8.1 We will support you to perform at your best by:

- Meeting regularly in structured one-to-ones (1-2-1s)
- Having Quality 1-2-1 Conversations
- As a minimum, having an individual Yearly Conversation
- Setting clear work objectives and performance standards and expectations
- Giving frequent feedback

8.2 Having Quality 1-2-1 and Yearly Conversations

8.2.1 You will have a Quality 1-2-1 conversation(s) with your manager to maintain and evolve a positive working relationship. We recognise that regular conversations between you and your manager offer support and ensure that you feel valued and engaged. They provide an opportunity for you to meet with your manager to talk about your wellbeing and how well you are performing your job role. Your manager will be trained and supported on managing wellbeing matters, including trauma awareness to better understand how their support can positively impact on performance, development and health and wellbeing.

8.2.2 We will offer an opportunity for you to have an individual yearly conversation with your manager, over and above your regular 1-2-1 conversations. You and your manager will reflect on what you have accomplished, explore and set agreed objectives for the year ahead. It is about having a valuable conversation, providing you with feedback on your performance, agreeing any support required and identifying your development needs and goals for the future. It is expected that you will fulfil your obligations in respect of what has been agreed and within the timescales.

- 8.2.3 Conversations will be flexible to suit the needs of our people and fit into practices already present in services without adding to workload, such as supervision sessions and regular conversations or team briefing/meetings, toolbox talks, etc.
- 8.2.4 If at any point or for any reason during the PPW Cycle, your performance does not meet the minimum standards expected in your role, your manager will provide additional support to enable you to reach the required level of performance. This will be reviewed regularly in agreement with you.
- 8.2.5 If, despite additional support being provided, you cannot achieve an acceptable level of performance, your manager will arrange a supported work improvement meeting with you.

9. Supported Work Improvement

9.1 Your manager will meet with you to :

- Explore with you why your performance has remained unsatisfactory;
- Understand how you view your own performance;
- Encourage you to discuss any concerns you may have about your job or health, or the support and guidance previously provided;
- Ensure you are aware of the impact of not meeting expected levels of performance on your colleagues and service users;
- Agree specific areas for improvement with achievable timescales, recorded on a Performance Improvement Plan (PIP);
- Ensure you understand that continued unsatisfactory performance cannot be sustained and if your performance does not improve to a satisfactory level, despite agreed supports, it may be managed under the Council's formal Disciplinary Policy. Managers must consult People & OD Services prior to commencing any disciplinary proceedings;
- If underperformance is due to health, trauma or medical reasons, your manager will identify and agree with you, relevant workplace adjustments and supports.

9.2 Your manager will regularly review your Performance Improvement Plan with you and support you to meet all the objectives agreed in it. This may include additional training, providing a mentor, coaching or some other kind of ongoing support. The content and outcome of meetings will be confirmed in writing.

10. People Development

10.1 All managers and their teams will be asked to complete relevant training and development on the provisions of this policy. Further guidance on the policy and the training can be obtained from People and OD Services.

11. Confidentiality

11.1 Information relating to employee performance and development should only be recorded and maintained by the relevant manager and shared with People &

Organisational Development where appropriate in accordance with relevant data protection legislation.

- 11.2 Information processed may include paper or electronic records and will be done so in line with the General Data Protection Regulation (Regulation EU 2016/679) (“GDPR”), the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications) and any legislation that, in respect of the United Kingdom, replaces, or enacts into domestic law, GDPR or any other law relating to data protection, the Processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union.

12. Equality and Human Rights Impact Assessment

- 12.1 This policy has been impact assessed in line with the Council’s obligation to comply with the Equality Act 2010 and the Public Sector Equality Duty.

13. Monitoring and Review

- 13.1 This policy will be reviewed regularly and in line with any legislative and organisational changes. The recognised Trade Unions will be consulted on any future changes to this policy.

APPENDIX 2

Issue Number: 1

Issue Date: 6/24

Review Date: 6/26

This document is available in alternative formats on request.

Disciplinary Policy

For all Local Government Employees and Chief Officers (excluding the Chief Executive, Directors and Teachers)



Renfrewshire
Council

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VERSION CONTROL

Version	Date	Details of Review	Next Review date
1	June 2024	This replaces the current Disciplinary Procedures	[June 2026]

1. Introduction

- 1.1 We trust that our employees will always strive to meet the high standards we and the public expect, living our values each day. We recognise that concerns regarding conduct and performance can arise, and this policy provides a framework for handling these concerns in line with Our Values in a fair and supportive manner.
- 1.2 This policy should be read along with the Disciplinary Procedure and relates to any type of conduct that falls below the standard required by the Council as outlined in the Code of Conduct or is in breach of our organisational policies. This also covers situations where misconduct occurs outside of work and can have an impact on an employee's ability to do their job and the Council's reputation.
- 1.3 Any performance concerns will in the first instance be managed via the People, Performance and Wellbeing Policy.
- 1.4 All managers who will be involved in the disciplinary process will be asked to undertake relevant training and development. The Council will maintain a register of fully trained managers who can participate in the process. Advice and guidance on the application of the Disciplinary Policy and Disciplinary Procedure is available from the People & OD Team.

2. Purpose and Aims

- 2.1 The purpose of this policy is to provide a framework to manage disciplinary situations using a fair, inclusive and consistent process.
- 2.2 This policy aims to:
 - Inform our employees about the Disciplinary process and what they should expect.
 - Ensure our expectations are understood on managing disciplinary situations.
- 2.3 Managers will seek to resolve all employment issues promptly and where appropriate on an informal basis.

3. Scope

- 3.1 This policy applies to all Local Government Employees, and Chief Officers (excluding Chief Executive, Directors and Teachers). Further guidance is available from your link People Representative.
- 3.2 This policy is compliant with current employment legislation including the Public Sector Equality Duty, the Equality Act 2010 and the ACAS Code of Practice on Disciplinary and Grievance procedures.

4. Our responsibilities

- 4.1 Managers are responsible for ensuring that all disciplinary issues are dealt with in a fair, inclusive and consistent manner.
- 4.2 We will ensure that our employees are made aware of available guidance and support, and that disciplinary issues are dealt with as quickly as the circumstances allow.
- 4.3 We understand that going through a disciplinary process can be stressful. Support is available via our employee assistance programme 'Time for Talking' and via our Occupational Health service. Further details on accessing support can be obtained via your link People Representative.

5. General Principles

- 5.1 We will seek to resolve employment issues quickly and transparently at the lowest possible level and, where appropriate, on an informal basis.
- 5.2 Disciplinary matters will be dealt with in the strictest confidence. All parties, including witnesses, must ensure that privacy and confidentiality are always maintained. Any person who fails to follow the rules of confidentiality may also find themselves subject to the disciplinary process.
- 5.3 If alleged misconduct relates to fraud, theft or embezzlement of monies, materials or allegations relating to corruption, bribery or other matters relating to the functions of the Council, it will be necessary to refer the case to the Council's Internal Audit team prior to any investigation under the Disciplinary Policy.
- 5.4 Alcohol and/or substance use may relate to a health condition and if an employee is impacted, they will be supported as far as possible, with disciplinary action being used only when appropriate. Further details on support options can be found in the Corporate Policy on Alcohol and Substance use.
- 5.5 If an employee raises a competent grievance during the disciplinary process, a manager may wish to pause the disciplinary and deal with the grievance first. It also may be appropriate to deal with both at the same time.
- 5.6 Where an employee is a trade union representative, no action in terms of the disciplinary process will be taken until a full time official of the trade union concerned has been informed.

6. Types of Misconduct

6.1 The available disciplinary outcomes open to a Disciplinary Officer will depend on whether they believe the conduct constitutes misconduct or gross misconduct.

6.2 Gross Misconduct

This is the most serious level of misconduct and may lead to summary dismissal or other punitive action. Gross misconduct is behaviour of such a nature that the Council cannot tolerate continued employment as it breaches the contract of employment.

Gross misconduct may include the following (this list is not exhaustive):

- Child/Adult Protection concerns
- Theft or fraud
- Physical violence or bullying
- Deliberate and serious damage to Council property
- Serious misuse of the Council's property or name
- Deliberately accessing internet sites containing pornographic, offensive or obscene material
- Serious insubordination
- Unlawful discrimination or harassment
- Bringing the Council into disrepute
- Serious incapability at work brought on by alcohol or illegal drugs
- Causing loss, damage or injury through serious negligence
- A serious breach of the health and safety rules
- A serious breach of confidence

6.3 Misconduct

These acts are ordinarily less serious and may lead to formal warnings. In some more serious cases, action may be taken up to dismissal depending on circumstances and the employee's disciplinary record.

Misconduct may include the following (this list is not exhaustive):

- Poor timekeeping
- A minor breach of a Council policy or procedure
- Intentional refusal to follow a direct order or instruction, reasonable in nature and given with proper authority.
- Minor breach of health and safety rules
- Damage to Council property
- Misuse of Council property

7. Timescales

- 7.1 Managers will deal with disciplinary matters promptly with no undue delay. We aim to conclude disciplinary matters within 3 months unless there are extenuating circumstances. The timescale, whilst indicative, may be subject to delay or circumstances out with the control of the disciplinary process and would be the subject of ongoing dialogue between the Investigating Officer or Disciplinary Officer and appropriate trade union officials.
- 7.2 Furthermore, timescales involved in completing an investigation will vary based on the nature and complexity of the investigation and advice on such matters should be taken from the People & OD Team.

8. Conduct Improvement Process (Informal)

- 8.1 The Conduct Improvement Process has been created to resolve problems in the workplace informally. This process provides a positive step to prevent minor misconduct concerns from escalating and offering an opportunity for the employee to improve their conduct without the need for the formal process.
- 8.2 The Conduct Improvement Process may be used in the following scenarios:
- Where there has been unsatisfactory conduct or a minor breach of council policy or procedure that, if continued could lead to more serious misconduct requiring action under the formal process.
 - Where there is a requirement to take action following a formal investigation, but it is deemed more appropriate to take informal action to address the concern.
- 8.3 Mediation can sometimes help resolve disciplinary issues at an informal stage. This is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. The Council have several trained and accredited individuals who can support with mediation. Please contact your link People Representative for more details. Further details on informal resolution options can be found in the Disciplinary Procedure.

9. Suspension

- 9.1 In all cases, suspension should be considered as a last resort. If gross misconduct is alleged, an employee may be suspended, which will be on full pay and benefits while an investigation is conducted. The period of suspension should be as brief as possible and will be reviewed by the Head of Service or nominated senior manager. The employee will be updated via their designated point of contact.

As an alternative to suspension, an employee may temporarily be given alternative duties if there is no significant risk to the council or the safety of any other person or the integrity of the investigation.

10. Investigation

- 10.1 The Council will always carry out a full investigation before arranging any Disciplinary Hearing to establish if there is a case to answer while ensuring everyone is treated fairly and evidence is gathered from all sides.
- 10.2 An Investigating Officer will be appointed, and the employee will be advised in writing detailing the allegations that are being investigated. The employee will be provided with 7 calendar days' notice to allow them to prepare for this meeting. They will have a right to be accompanied at the meeting by a trade union representative or a work colleague.
- 10.3 Investigation meetings will also be conducted with witnesses and suitable notice will be provided. Notes from the meeting will be shared with the employee following the meeting and will form part of the investigation report.
- 10.4 If following an investigation, it is found there is no case to answer, the employee will be informed of this in writing. If there is a case to answer, the relevant Head of Service will make a decision on whether or not to proceed to a disciplinary hearing.

11. Disciplinary Hearing

- 11.1 If informal resolution is unsuccessful or following investigation the misconduct is deemed serious, a formal approach will be required. The employee will receive 7 days' notice in writing of any disciplinary hearing and will be provided with a copy of the Investigation Report and relevant witness statements. They will have a right to be represented by a work colleague or trade union representative.
- 11.2 The disciplinary hearing will be attended by the following:
 - The Disciplinary Officer (DO)
 - The Investigating Officer (IO)
 - People Representative supporting the Disciplinary Officer
 - The employee
 - The employees trade union representative or work colleague
 - Witnesses called by the IO or by the employee.
- 11.3 The Investigating Officer will attend the Disciplinary Hearing to present the details of their investigation and will have no bearing on the final decision of the Disciplinary Officer.

11.4 Depending on the outcome of the disciplinary hearing, the Disciplinary Officer (DO) may decide to issue the employee with one of the following disciplinary sanctions, depending on how serious the matter is and if they already have a live warning on file. These sanctions will be live for the timeframes below:

- Written Warning - 6 months
- Final Written Warning - 12 months
- Alternative sanctions short of dismissal
- Summary Dismissal (Gross Misconduct)

11.5 Alternative sanctions short of dismissal can include:

- Re-training
- A permanent or temporary demotion
- Withholding an increment
- Deployment to another suitable post
- Relocation to another suitable location

All alternative sanctions short of dismissal shall be recorded and be admissible against further misdemeanour for a period of 12 months.

12. Appeals

An employee has the right to appeal within 14 calendar days on receipt of the outcome letter against any formal sanction applied during the disciplinary process. The process for this will be explained in the disciplinary outcome letter including details of who to address their appeal to. The employee must identify the reason for their appeal as part of this process.

13. Referral to other agencies

In certain cases, a manager will be required to inform professional bodies (e.g. SSSC) and/or regulators (e.g. Disclosure Scotland, Care Inspectorate etc) of the charge(s), conviction(s) or investigation(s), especially those relating to abuse, child and adult protection.

This is not limited to criminal proceedings, but referrals may also be made where internal investigations or disciplinary proceedings are involved.

14. Criminal offences or police involvement

14.1 Disciplinary action will not be automatically taken because an employee has been charged with or convicted of a criminal offence committed out with their place of work unless this has a direct impact on their ability to carry out their role with the Council. If an employee is charged, cautioned, or convicted of any criminal offence, they must let their manager know as soon as possible.

14.2 If an incident occurs at work which is potentially criminal in nature, it must be reported immediately to an employee's line manager, who will consult with the

People & OD Service to decide how it will progress. Where the police are involved, the Council won't usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where an employee is unable or has been advised not to attend a disciplinary meeting or say anything about a pending criminal matter, the manager may make a decision on the evidence available to them.

15. Confidentiality

- 15.1 Information relating to Disciplinary Procedures should be recorded, maintained and processed confidentially and securely by the relevant Service, People & OD and Trade Union.
- 15.2 Information processed may include paper or electronic records and will be done so in line with the General Data Protection Regulation (Regulation EU 2016/679) ("GDPR"), the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be amended by the proposed Regulation on Privacy and Electronic Communications) and any legislation that, in respect of the United Kingdom, replaces, or enacts into domestic law, or any law to data protection, the processing of personal data and privacy as a consequence of the United Kingdom leaving the European Union.

16. Equality and Human Rights Impact Assessment

- 16.1 This policy has been impact assessed in line with the Council's obligation to comply with the Equality Act 2010 and the Public Sector Equality Duty.

17. Monitoring and Review

- 17.1 This policy will be reviewed regularly and in line with any legislative and organisational changes. The recognised Trade Unions will be consulted on any future changes to this policy.