

## **WILTSHIRE COUNCIL**

### **STAFFING POLICY COMMITTEE**

**24 November 2010**

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## **DISCIPLINARY POLICY AND PROCEDURE UPDATE**

### **Purpose of Report**

This report presents the updated disciplinary policy and procedure together with the toolkit of guidance documents.

### **Background**

1. The current disciplinary policy was last revised prior to the move to a unitary authority.
2. It applies to all Wiltshire Council employees (except for teaching and non-teaching staff employed in locally managed schools) and forms part of their terms and conditions of employment.
3. The policy and procedure clearly sets out the council's expectations of employee conduct and ensures any disciplinary matters are managed fairly and consistently, in line with legislation.
4. The main aim of this further review was to:
  - maintain consistency of approach by adopting the standard policy format;
  - make the policy easy to read, understand and use;
  - ensure the content is up to date and fit for purpose.

### **Main Considerations for the Council**

5. In amending the policy and procedure key stakeholders were consulted including the operational human resources teams, the stakeholder panel and the unions.
6. There has been no major change to the content of the policy and procedure and it continues to reflect the ACAS Statutory Code of Practice (2009).
7. The main changes in the updated policy and procedure are:
  - the policy and procedure has been put in to the new HR policy template;
  - there is an emphasis on it being the line manager who carries out the formal investigation and produces the investigation report (unless this is inappropriate);
  - the investigating officer takes the decision whether there is a disciplinary case to answer - the investigation report is not referred to a senior officer (although HR are still involved);

- it is the responsibility of the manager (rather than HR) to make the arrangement for the disciplinary hearing, ensure a note taker attends, send letters etc.;
  - roles and responsibilities have been clarified;
8. There is no longer a specific appeals procedure within the disciplinary policy, instead employees will use the new single appeal procedure.
9. A toolkit of documents has been created (including letter templates, guidance notes, process flowcharts etc.) to enable to smooth deployment of the policy in practice.

#### **Environmental Impact of the Proposal**

10. None.

#### **Equalities Impact of the Proposal**

11. An Equalities Impact Assessment was undertaken on 16 November 2010 and no negative impacts were identified.

#### **Risk Assessment**

12. None

#### **Options Considered**

13. None.

#### **Recommendation**

14. The Staffing Policy Committee is asked to support and approve the revised disciplinary policy and procedure.

**Barry Pirie**  
**Service Director**  
**HR & OD**

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**The following unpublished documents have been relied on in the preparation of this Report: None**