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# OCCOLD PARISH COUNCIL

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## DISCIPLINARY AND GRIEVANCE POLICY

### Introduction

In dealing with any disciplinary or grievance matters, the Council will follow the latest ACAS statutory Code of Practice/guidance available on the ACAS website at <https://www.acas.org.uk/acas-code-of-practice-for-disciplinary-and-grievance-procedures/html>

The code provides basic practical guidance to employers, employees and their representatives and sets out principles for handling disciplinary and grievance situations in the workplace.

The Code does not apply to dismissals due to redundancy or the non-renewal of fixed-term contracts on their expiry.

### Legislation

The Code is issued under section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992 and was laid before both Houses of Parliament on 16 January 2015. It comes into effect by order of the Secretary of State on 11 March 2015 and replaces the Code issued in 2009.

A failure to follow the Code does not, in itself, make a person or organisation liable to proceedings. However, employment tribunals will take the Code into account when considering relevant cases.

### Councillor Responsibilities

The HR committee will be responsible for investigating any disciplinary or grievance. A minimum of 3 Councillors will make up the Committee and nominate a Chair person. No person on the committee should have a direct involvement in the allegations.

If the committee considers there are insufficient independent Councillors (For example because they all have a direct involvement in the allegations) then the Chair of the Parish Council will seek to appoint an investigator from outside the Council.

### Procedure

The investigation will follow the ACAS guidance

### Resolution

The Parish Council will always seek to resolve disciplinary and grievance issues in the workplace. Where this is not possible the Council will use an independent third party to help resolve the problem. The third party need not come from outside the organisation but could be an internal mediator, so long as they are not involved in the disciplinary or grievance issue. In some cases, an external mediator might be appropriate.

Where an issue cannot be resolved informally then it may be pursued formally. This Code sets out the basic requirements of fairness that will be applicable in most cases; it is intended to provide the standard of reasonable behaviour in most instances.

The Council will keep a written record of any disciplinary or grievance cases they deal with.

**Revisions**

Date of review or revision	Reason	Author