

ST ALBANS PARISH COUNCIL'S DISCIPLINARY POLICY

Introduction

1. This policy is based on and complies with the 2015 ACAS Code of Practice.
2. It also takes into account the ACAS guide on discipline and grievances at work.
3. The policy is designed to help council employees improve unsatisfactory conduct and performance in their jobs. Wherever possible, the council will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.
4. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.
5. This policy confirms:
 - Informal coaching and supervision will be considered, where appropriate, to improve conduct and/or attendance.
 - The council will fully investigate the facts of each case.
 - The council recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information, see ACAS Performance Management.
 - Employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case.
 - Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing.
 - Employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
 - The council will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions.
 - If the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within seven calendar days of the original meeting date, unless it is unreasonable not to propose a later date.
 - Any changes to specified time limits in the council's procedure must be agreed to by the employee and the council.

- Information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the council is confidential to the employee. The employee's disciplinary records will be held by the Council in accordance with the General Data Protection Regulation (GDPR).
- Audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition.
- Employees have the right to appeal against any disciplinary decision. The appeal decision is final.
- If an employee who is already subject to the council's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure.
- Disciplinary action taken by the council can include a written warning, a final written warning or dismissal.
- This procedure may be implemented at any stage if the employee's alleged misconduct warrants this.
- Except for gross misconduct, when an employee may be dismissed without notice, the council will not dismiss an employee on the first occasion that it decides there has been misconduct.
- If an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The council will write to the employee to confirm any period of suspension and the reasons for it.
- The council may consider mediation at any stage of the disciplinary procedure where appropriate (for example, where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties.

Examples of misconduct

6. Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct (the list is not exhaustive):
 - Unauthorised absence.
 - Poor timekeeping.
 - Misuse of the council's resources and facilities, including telephone, email and internet.
 - Inappropriate behaviour.
 - Refusal to follow reasonable instructions.
 - Breach of health and safety rules.

Examples of gross misconduct

7. Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct (the list is not exhaustive):

- Bullying, discrimination and harassment.
- Incapacity at work because of alcohol or drugs.
- Violent behaviour.
- Fraud or theft.
- Gross negligence.
- Gross insubordination.
- Serious breaches of council policies and procedures, e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology.
- Serious and deliberate damage to property.
- Use of the internet or email to access pornographic, obscene or offensive material.
- Disclosure of confidential information.

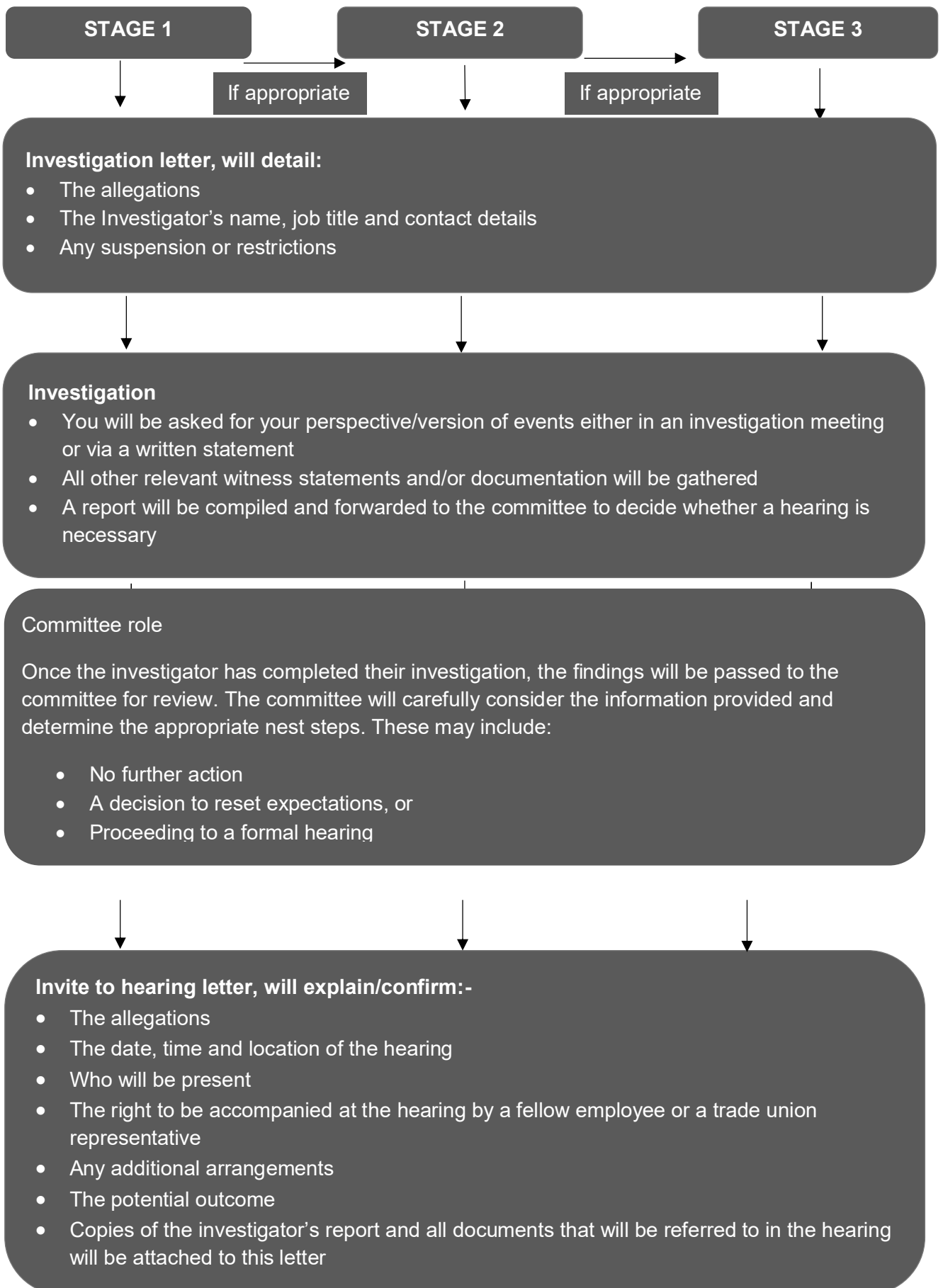
Suspension

8. If allegations of gross misconduct or serious misconduct are made, the council may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.
9. While on suspension, the employee is required to be available during normal hours of work in the event that the council needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or discuss this matter with any other employee or councillor.
10. The employee must not attend work. The council will make arrangements for the employee to access any information or documents required to respond to any allegations.

Examples of unsatisfactory work performance

11. The following list contains some examples of unsatisfactory work performance (the list is not exhaustive):
 - Inadequate application of management instructions/office procedures.
 - Inadequate IT skills.
 - Unsatisfactory management of staff.
 - Unsatisfactory communication skills.

The procedure



The Hearing

- An appropriate level of management will conduct the disciplinary hearing ('the Chair'), and there may also be a note-taker present. In some cases, a Human Resources Partner will also be present
- The Chair will explain the role of all those in attendance, the allegations and go through the evidence that has been gathered
- You will be given the opportunity to respond in full. This will include time to ask questions and present evidence. If you intend to call any witnesses, you must give us advance written notice that you intend to do this
- The Chair will adjourn at the end to consider their decision
- Where possible, the outcome will be given the same day. Where this is not possible, because for example, the Chair requires further time to consider their decision or complete further investigation, you will be informed
- You will be informed of the outcome verbally (either in person or by phone) and then in writing

**Potential outcome:
First Written
warning**

**Potential outcome:
Final Written
warning**

**Potential outcome:
Dismissal (with or
without notice/pay
in lieu of notice)**

Outcome letter will advise:

- The nature of the misconduct that has led to the outcome (including any prior warnings that have been taken into account, if appropriate)
- The action or improvement required
- The timescale for implementing such action (if relevant)
- That this is a first/final written warning and that the next stage may be final written warning/dismissal if there is no sustained improvement or change
- That the warning will remain live for 12 months
- That whilst the warning will not remain active after this time in relation to future disciplinary matters, a record of what has occurred will be kept and may be referred to if relevant
- The right of appeal

Outcome letter will advise:

- The reasons for dismissal
- Any prior warnings that have been taken into account, if appropriate
- The date on which employment will end
- The right of appeal

12. Preliminary enquiries_ The council may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.
13. If the employee's manager believes there may be a disciplinary case to answer, the council may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.
14. Informal Procedures. Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

Disciplinary investigation

15. A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.
16. If a formal disciplinary investigation is required, the Council's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor. If the staffing committee considers that there are no councillors who are independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:
 - The allegations or events that the investigation is required to examine.
 - Whether a recommendation is required
 - How the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report.
 - Who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.
17. The Investigator will be asked to submit their findings, usually within 35 Calendar days of appointment, where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).
18. The Staffing Committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that they have a reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of

the council's disciplinary procedure. The council will also inform the employee that when they meet with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

19. Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.
20. If there are other persons (e.g. employees, councillors, members of the public or the council's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.
21. The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the Staffing Committee whether or not disciplinary action should be considered under the policy.
22. The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:
 - The employee has no case to answer, and there should be no further action under the council's disciplinary procedure.
 - The matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally.
 - The employee has a case to answer, and a formal hearing should be convened under the council's disciplinary procedure.
23. The Investigator will submit the report to the staffing committee, which will decide whether there is no case to answer; the matter should be considered informally, or a formal Disciplinary Hearing should be convened. If the Investigator is a member of the Committee making the decision, they should recuse themselves from any formal votes or decision-making regarding their findings as to whether there is a case to answer at a Disciplinary Hearing.
24. If the council decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

The disciplinary meeting

25. If the Staffing Committee decides that there is a case to answer, it will appoint a staffing sub-committee of three councillors to formally hear the allegations. The staffing sub-committee will appoint a Chair from one of its members. The Investigator shall not sit on the sub-committee. The staffing sub-committee will be given the delegated authority to make a decision in relation to the Disciplinary.
26. No councillor with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:
 - The names of its chair and the other two members.
 - Details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting.

- A copy of the information provided to the sub-committee, which may include the investigation report, supporting evidence and a copy of the Council's disciplinary procedure.
- The time and place for the meeting. The employee will be given reasonable notice of the hearing so that they have sufficient time to prepare for it.
- Whether witnesses may attend on the employee's and the council's behalf, and if they may, both parties should inform each other of their witnesses' names at least two working days before the meeting.
- The employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

27. The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- The chair will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing.
- The chair will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation).
- The chair will invite the employee to present their account.
- The employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements).
- Any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness.
- The employee (or companion) will have the opportunity to sum up.

28. The chair will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The chair will also notify the employee of the right to appeal the decision in the event that formal action is taken.

29. The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

Disciplinary action

30. If the sub-committee decides that there should be disciplinary action, it may be any of the following:

First written warning:

31. If the employee's conduct has fallen below acceptable standards, a first written warning will be issued. A first written warning will set out:

- The reason for the written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action.
- The employee's right of appeal.
- That a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Final written warning:

32. If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- The reason for the final written warning, the improvement required (if appropriate) and the time period for improvement.
- That further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal.
- The employee's right of appeal.
- That a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

Dismissal:

33. The council may dismiss:

- For gross misconduct.
- If there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning.
- If another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

34. The council will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

The appeal:

35. An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the council within seven calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

36. The grounds for appeal include:

- A failure by the council to follow its disciplinary policy.
- The sub-committee did not support the sub-committee's disciplinary decision.
- The disciplinary action was too severe in the circumstances of the case.
- New evidence has come to light since the disciplinary meeting.

37. Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3

members of the council who may include members of the staff committee. The appeal panel will appoint a chair from one of its members.

38. The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.
39. At the appeal meeting, the chair will:
 - Introduce the panel members to the employee.
 - Explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision.
 - Explain the action that the appeal panel may take.
40. The employee (or companion) will be asked to explain the grounds for appeal.
41. The chair will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.
42. The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained in the employee's personnel file.
43. If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.
44. The appeal panel's decision is final.

Important notice

This is an example of an employment policy designed for a small council, adhering to statutory minimum requirements, and does not constitute legal advice. As with all policies, it should be consistent with your terms and conditions of employment.

This document was commissioned by the National Association of Local Councils (NALC) for the purpose of its members. Every effort has been made to ensure that the contents of this document are correct at the time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

Date of policy: May 2026
Approving committee: Full Council
Date of committee meeting: 13 May 2026
Policy effective from: May 2026
Date for next review: May 2027

COMPLAINTS POLICY AND PROCEDURE

AIM OF THE POLICY

The aim of this Policy is to explain the procedure by which complaints will be dealt with by St Albans Parish Council. It should be noted that this does not affect an elector's statutory right to object to the Parish Council's audit of accounts pursuant to section 16 of the Audit Commission Act 1998. Nor will it apply to criminal activity (which should be reported to the police), conduct of councillors (which should be submitted in accordance with procedures within the Code of Conduct) or employee conduct which will be dealt with under the Parish Council's Disciplinary Procedure.

1. The complainant should raise the complaint informally with the Clerk or Chairman.
2. If the complaint is not resolved satisfactorily then the complainant should put the complaint in writing to the Clerk or Chairman.
3. The Clerk or Chairman will acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Parish Council. The complainant will be advised whether the complaint will be treated as confidential or not. Complaints naming councillors, staff, or other residents will be treated as confidential.
4. The complaint will be discussed by the Chairman, Clerk and any named Councillor and, if possible, resolution offered. This will be communicated in writing.
5. If not resolved, the complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
6. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The Parish Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

- The meeting will be in private.
- The Chairman will introduce everyone and explain the procedure.
- The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by members at the meeting
- The Clerk or Chairman will have an opportunity to explain the Parish Council's position and questions may be asked by (i) the complainant and (ii) members.

- The Clerk or Chairman and then the complainant should be offered the opportunity to summarise their position.
- The complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
- The complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them

After the Meeting

- The decision should be confirmed in writing within seven working days together with details of any action to be taken.
- The resulting decision will be made public by notices and on the website.

Unreasonably persistent or vexatious complaints.

On occasions certain complaints can be difficult to resolve and can cause anxiety and distress to both complainants and employees of the Parish Council. Whilst the aim of the Parish Council is always to try to find a way to resolve matters, on occasions complainants are encountered who become unreasonably persistent or vexatious in their actions to obtain the outcome that they want.

The Parish Council wants to ensure that in using the complaints procedure complainants who are unreasonable or vexatious are dealt with fairly but also that the Parish Council's resources are used as effectively as possible and that other service users or Parish Council employees do not suffer any detriment as a result of their behaviour.

Unreasonably persistent or vexatious complaints will be viewed under a separate policy.

ST ALBANS PARISH COUNCIL

Media Policy

Adopted Date: May 2026

Reviewed May 2026

Next Review due: May 2027

1. Introduction

St Albans Parish Council's relationship with the community is vital to its work and the decisions it takes. An open and constructive dialogue is a key requirement for influencing and developing services, identifying attitudes and measuring satisfaction.

Effective media relations are an important factor in establishing a good relationship between the Parish Council and the community. Since members of the public generally rely on the media for local information and news, it is important for the Parish Council to present information about its activities and aspirations in a consistent way.

St Albans Parish Council recognises that the internet provides a unique opportunity to participate in interactive discussions and share information using a wide variety of social media, such as Facebook, X (Twitter), and Instagram. Employees and councillors are likely to use social media in a private capacity outside of work and they may/will also be required to use it in a business capacity as part of their role at the Parish Council.

Employees' and councillors' use of social media in both a personal and business capacity can present risks to our confidential information and reputation and can jeopardise our compliance with legal obligations. To minimise these risks, we expect employees and councillors to adhere to this policy.

2. Scope

This policy applies to all employees and councillors of the Parish Council.

This policy applies to the process of contacting the media and informing the public about the Parish Council's activities, the decisions it takes and the services it provides. It also reviews use of social media for both business and personal purposes whether during office hours or otherwise. It also applies whether the social media is accessed using Council IT facilities, or equipment belonging to employees or councillors.

3. Definitions

The term 'media' encompasses many different means of communicating a message to a wider audience, and includes broadcast media, the Internet, and a wide range of printed media, including local newspapers, magazines, local broadcasters and posters.

Social media is a type of interactive online media that allows parties to communicate instantly with each other, or to share data in a public forum. This includes online social forums such as X, Twitter, Facebook, Instagram, Linked-In, internet newsgroups and chat rooms. Social media also covers blogs and video and image sharing websites such as YouTube and Flickr.

There are many more examples of social media than can be listed here and this is a constantly changing area. This policy refers to the examples listed and any new social media which is developed in the future.

4. Principles of media engagement

The general principle is that the Parish Council Office will act as the Press Office. Any official contact with the media concerning the Parish Council's policies, decisions and services is to be initiated through this office.

Press releases and statements will be prepared by the clerk in consultation with the chair and other members as required and will normally be restricted to matters that have been debated and agreed by the Parish Council.

Members who are approached by the media should refer to the Council Office to ensure consistency. Members can, as long as they make it clear that it is a personal opinion, state their view on a matter. However, members should take care not to misrepresent and/or bring the Parish Council into disrepute and must bear in mind their responsibilities under the Local Government Code of Conduct. The requirement of the General Data Protection Regulations must be adhered to at all times.

The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request and the media are encouraged to attend council meetings and the council should make appropriate space available. The Openness of LG Bodies Regulation 2014 became law on 6 August 2014, allowing filming, photography and/or recording of council proceedings by the public or press. The chairman of the meeting should ask if any person intends to do any of these so that councillors are aware. This should be a constant agenda item on all council or committee meetings. No oral report or running verbal commentary is permitted during the meeting.

5. Using social media sites in the name of St Albans Parish Council.

All posts on behalf of the Parish Council must go via agreed councillors seeking advice from the Clerk as necessary.

Councillors' authority to post will be withdrawn during a defined period before local council elections in order to comply with legislation (Pre-election period).

Councillors should also be aware that the Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature which includes web advertising on their personal social media accounts. Full guidance for candidates can be found at www.electoralcommission.org.uk.

6. Personal Safety and Privacy

Employees and councillors need to be aware that the information they post on their personal social media profile can make them identifiable to residents and service users, as well as people they know in a private capacity.

Online sites such as Facebook are in the public domain, and personal profile details can be seen by anyone, even if users have their privacy settings on the highest level, if a user's profile is linked to other sites, any changes to their profile will be updated there too.

Employees and councillors who have set their privacy level to the maximum can have their privacy compromised by 'friends' who may not have set their security to the same standard.

7. Key Principles

Employees and councillors must not:

- use the Cllr or Councillor title on personal social media
- present personal opinions as that of the Parish Council
- bring the Parish Council into disrepute or cause embarrassment, including through content posted in a personal capacity
- post content that is contrary to the democratic decisions of the Parish Council
- disclose commercially sensitive, personal private or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with the Clerk