ANDOVER TOWN COUNCIL

Disciplinary Policy 2026

1. Purpose

This policy explains how Andover Town Council (ATC) will address issues of employee conduct or performance.

It ensures:

- Fair, consistent, and transparent treatment
- Compliance with the ACAS Code of Practice on Disciplinary and Grievance Procedures
- Protection of both employees and the Council

Failure to follow the ACAS Code can result in tribunal penalties of up to 25% adjustment in awards. [acas.org.uk]

---

2. Scope

This policy applies to all ATC employees.

It does not apply to:

- Councillors (covered by the Members' Code of Conduct)
- Contractors (covered by contractual arrangements)

---

3. Key Principles

ATC will:

- Address issues promptly and consistently
- Carry out fair and impartial investigations
- Inform employees of concerns in writing
- Provide an opportunity to respond at a hearing
- Allow employees to be accompanied
- Provide a right of appeal

These are core ACAS requirements. [policy-suite.com]

Version	Date	Minute Number	Approved by	Review Date
1.1 (26)	1 July 2026		Policy and Resources	Annual
			Full Council	

4. Informal Action

If appropriate, issues will be addressed informally:

- Through discussion with the employee
- With guidance and support offered

Formal action will only be taken if:

- Informal steps are unsuccessful, or
- The matter is sufficiently serious

5. Types of Misconduct

Examples of misconduct

- Poor attendance or timekeeping
- Minor breaches of procedures
- Inappropriate behaviour

Examples of gross misconduct

(may result in summary dismissal)

- Theft, fraud, or dishonesty
- Serious breach of health and safety
- Harassment or discrimination
- Serious insubordination
- Misuse of Council IT systems

6. Disciplinary Procedure

Stage 1: Investigation

- A fair investigation will be conducted
- The employee may be asked to attend an investigatory meeting

- Suspension (on full pay) may be used where necessary:
    - This is not disciplinary action
    - It will be used only where justified

Stage 2: Disciplinary Hearing

If there is a case to answer:

- The employee will receive written notice including:
    - Details of allegations
    - Evidence
    - Possible outcomes
- The employee has the right to:
    - Attend a hearing
    - Be accompanied by a colleague or trade union representative [gov.uk]

Stage 3: Decision and Outcome

Following the hearing, the Council may decide:

- No action
- Informal guidance
- First written warning
- Final written warning
- Dismissal

The outcome will be confirmed in writing, with reasons.

---

7. Disciplinary Sanctions

Level	Description
First Written Warning	For first instances of misconduct
Final Written Warning	For serious or repeated misconduct
Dismissal	For gross misconduct or repeated offences

Version	Date	Minute Number	Approved by	Review Date
1.1 (26)	1 July 2026		Policy and Resources	Annual
			Full Council	

Disciplinary warnings will remain active for the following periods:

- Informal Warning – 6 months
- First Written Warning – 12 months
- Final Written Warning – 12 months

In exceptional cases involving serious misconduct, a Final Written Warning may remain active for up to 24 months.

The employee will be informed in writing of the duration of any warning and the consequences of any further misconduct or failure to improve during the period the warning remains active.

---

8. Right of Appeal

Employees may appeal in writing within 5–10 working days

- Appeals must state reasons (e.g. new evidence or procedural concerns)
- Appeals will be heard by:
    - A different officer, or
    - Staffing Sub-Committee (not previously involved)

A final written outcome will be issued.

---

9. Roles in ATC Context

Role	Responsibility
Town Clerk	Day-to-day management of disciplinary cases
Chair of Policy & Resources	Oversight (where required)
Staffing Sub-Committee	Hearings and appeals (especially senior cases)
Mayor/Chair of Council	Involved only at the highest level of escalation.

---

10. Suspension

Suspension may be used where:

- There is a serious allegation
- There is a risk to staff, property, or the investigation.

Suspension will:

- Be on full pay
- Be reviewed regularly
- Not imply guilt

---

11. Grievances Raised During Disciplinary Process

If an employee raises a grievance during disciplinary proceedings:

- The Council may:
    - Pause the disciplinary process, or
    - Run both processes concurrently

Each case will be considered individually.

---

12. Record Keeping

ATC will:

- Maintain confidential written records
- Retain documentation in line with GDPR
- Keep a clear audit trail of decisions

---

13. Equality and Fairness

The Council will ensure:

- No discrimination under the Equality Act 2010
- Reasonable adjustments where required
- Fair treatment for all employees

---

14. Review

This policy will be reviewed annually by the Policy & Resources Committee.

Version	Date	Minute Number	Approved by	Review Date
1.1 (26)	1 July 2026		Policy and Resources	Annual
			Full Council	