

BURSTALL PARISH COUNCIL

DISCIPLINARY RULES

1. POLICY STATEMENT

1.1 These Disciplinary Rules should be read in conjunction with the Burstall Parish Council Disciplinary Procedure. The aim of the Disciplinary Rules and Disciplinary Procedure is to set out the standards of conduct expected of all staff and to provide a framework within which the Council can work with staff to maintain those standards and encourage improvement where necessary.

1.2 It is the Council's policy to ensure that any disciplinary matter is dealt with fairly and in accordance with the Disciplinary Procedure.

1.3 If you are in any doubt as to your responsibilities or the standards of conduct expected you should speak to the Chair or Vice-Chair.

1.4 These rules do not form part of any employee's contract of employment and may be amended at any time.

2. RULES OF CONDUCT

2.1 While working for the Council you should at all times maintain professional and responsible standards of conduct. In particular you should:

- a. Observe the terms and conditions of your contract, particularly with regard to:
 - i. Hours of work;
 - ii. Confidentiality;
- b. Observe all Council policies, procedures and regulations notified to you from time to time;
- c. Take reasonable care in respect of the health and safety of colleagues and third parties and comply with the Council's Health and Safety Policy;
- d. Comply with all reasonable instructions; and
- e. Act at all times in good faith and in the Council's best interests and those of the Council's staff.

2.2 Failure to maintain satisfactory standards of conduct may result in action being taken under the Council's Disciplinary Procedure.

3. MISCONDUCT

The following are examples of matters that will normally be regarded as misconduct and will be dealt with under the Council's Disciplinary Procedure:

- a. Minor breaches of Council policies;
- b. Minor breaches of your contract;
- c. Damage to, or unauthorised use of, Council property;
- d. Poor timekeeping;
- e. Time wasting;
- f. Unauthorised absence from work;
- g. Refusal to follow instructions;
- h. Excessive use of Council telephones for personal calls;
- i. Excessive personal e-mail or internet usage;
- j. Obscene language or other offensive behaviour;
- k. Negligence in the performance of your duties; or
- l. Smoking in no-smoking areas.

This list is intended as a guide and is not exhaustive.

4. GROSS MISCONDUCT

4.1 Gross misconduct is a serious breach of contract and includes misconduct which, in the Council's opinion, is likely to prejudice Council business or reputation or irreparably damage the working relationship and trust between us. Gross misconduct will be dealt with under the Council's Disciplinary Procedure and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).

4.2 The following are examples of matters that are normally regarded as gross misconduct:

- a. Theft or fraud;
- b. Physical violence or bullying;
- c. Deliberate and serious damage to property;
- d. Serious misuse of Council property or name;
- e. Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- f. Repeated or serious failure to obey instructions, or any other serious act of insubordination;
- g. Unlawful discrimination or harassment;
- h. Bringing the organisation into serious disrepute;
- i. Being under the influence of alcohol, illegal drugs or other substances during working hours;
- j. Causing loss, damage or injury through serious negligence;
- k. Serious breach of health and safety rules;
- l. Serious breach of confidence;
- m. Accepting or offering a bribe or other secret payment;
- n. Conviction for a criminal offence that in the Council's opinion may affect Council reputation or relationships with staff, customers or the public, or otherwise affects your suitability to continue to work for the Council;
- o. Possession, use, supply or attempted supply of illegal drugs;
- p. Serious neglect of duties, or a serious or deliberate breach of your contract or operating procedures;
- q. Knowing breach of statutory rules affecting your work;
- r. Unauthorised use, processing or disclosure of personal data contrary to the Council's Data Protection Policy;
- s. Harassment of, or discrimination against, employees, contractors, clients or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age;
- t. Refusal to disclose any of the information required by your employment or any other information that may have a bearing on the performance of your duties;
- u. Giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
- v. Knowingly taking parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child;
- w. Making untrue allegations in bad faith against a colleague;

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