

Extract taken from Peterborough City Council Contract of Employment – Principal terms and conditions of appointment for a Head of/Assistant Director of/Director of Services Department

13. GRIEVANCE PROCEDURE

Details of the Council's scheme are annexed to and form part of this Contract of Employment (Annex A).

14. DISCIPLINARY PROCEDURES AND RULES

Details of the Council's scheme are annexed to and form part of this Contract of Employment (Annex B).

PETERBOROUGH CITY COUNCILGRIEVANCE PROCEDURE – CHIEF OFFICERS1. SCOPE OF THIS PROCEDURE

This Procedure will apply to Chief Officers only.

2. PROCEDURE

- 2.1 The Chief Officer may submit his/her Grievance in writing to the Chief Executive (or his/her nominee) at any reasonable time.
- 2.2 The Chief Executive (or his/her nominee) will consider the matter at the earliest opportunity and not later than 2 weeks from the date of receipt of the Grievance.
- 2.3 The Chief Executive will communicate his/her response in writing to the Chief Officer as soon as possible and within 7 days.
- 2.4 If the Chief Officer is not satisfied with the response, the Grievance will be considered by the relevant Committee of the Authority at the earliest opportunity and not later than 8 weeks from the date of receipt of the Grievance.
- 2.5 The Chief Executive will communicate the Committee response in writing to the Head of Service as soon as possible and within 7 days.

PETERBOROUGH CITY COUNCIL

DISCIPLINARY PROCEDURE – CHIEF OFFICERS

1. SCOPE OF THIS PROCEDURE

This Procedure will apply to Chief Officers only.

2. PROCEDURE

2.1 The Chief Officer to be advised that his/her conduct is regarded as unsatisfactory and to be given an opportunity to correct any shortcomings.

2.2 If no improvement occurs, the XChief Officer to attend a formal interview with the Chief Executive and be advised of the details of any unsatisfactory matter in the presence of a representative of his/her choice. Not less than 7 days' notice will be given prior to the interview. An adjournment may be necessary. Paid suspension from duty may be appropriate.

2.3 Only matters of Gross Misconduct can be considered as justifying dismissal in the absence of any prior warnings.

2.4 The findings of the Chief Executive to be advised in writing to the Chief Officer.

2.5 The Chief Officer to have the Right of Appeal against any Disciplinary Sanctions. That Appeal to be considered by the Policy Committee (or other Committee set up for the purpose). The Chief Officer to have not less than 7 days' prior notice of the day/date/time of the Appeal to enable full rights of attendance and representation to be available.

2.6 The decision of the Appellate Committee to be final.

3. DISCIPLINARY RULES

These are attached at Schedule 1 to this Procedure.

SEE SCHEDULE 1

4. FUTURE REVISION

The Peterborough City Council reserves the right to vary this Procedure by agreement or otherwise by the serving of six months' notice to that effect.

PETERBOROUGH CITY COUNCIL

DISCIPLINARY PROCEDURE

DISCIPLINARY RULES - SCHEDULE 1

1. MISCONDUCT

1.1 Misconduct is the commission (or omission) of any act which is less serious than gross misconduct and accordingly does not, by itself warrant dismissal for a first offence. However, if persistent, the misconduct may lead to dismissal. For example:-

- 1.1.1 unauthorised absence from the work place;
- 1.1.2 misuse of Council property or equipment such as to cause damage or loss;
- 1.1.3 abusive behaviour or offensive language;
- 1.1.4 unlawful discrimination or harassment against employees or member of the public in the course of duty;
- 1.1.5 insubordination;
- 1.1.6 gambling at work or on the Council's premises;
- 1.1.7 undertaking additional work (whether or not for payment or fee) which may be detrimental to the work to be performed as a full-time employee of the Council without permission of the Council;
- 1.1.8 breach of the Procedure to notify absence due to sickness;
- 1.1.9 failure to attend work punctually, when rostered for duty or in accordance with the flexitime requirement;
- 1.1.10 failure to use protective clothing, safety devices, or safe working methods when these are provided for the work in hand.

2. GROSS MISCONDUCT

2.1 Gross Misconduct is the commission (or omission) of any act which is so serious that the Authority cannot tolerate the continued presence of the employee responsible at work. For example:-

- 2.1.1 theft of the Council, Contractor, Client or employee property;
- 2.1.2 deliberate falsification of timesheet, expense claim or other document for financial gain of self or others;

APPENDIX E

- 2.1.3 demanding or accepting gift, reward or other consideration (other than proper remuneration) for the performance of Official Duties;
- 2.1.4 demanding or accepting gift, reward or other consideration (other than proper remuneration) for the use of Council Property or the placing of Orders or Contracts;
- 2.1.5 deliberate refusal to carry out reasonable, lawful and safe instructions of the Council;
- 2.1.6 failure to carry out the agreed duties of the employee's job;
- 2.1.7 gross negligence in carrying out the agreed duties of the employee's job;
- 2.1.8 wilful infringement of any Safety Precautions;
- 2.1.9 being unfit for duty due to consumption of alcohol or drugs not in accordance with medical prescription;
- 2.1.10 unauthorised disclosure of information regarded as Confidential to the Council or its Officers;
- 2.1.11 any act of actual violence, threatened violence or vandalism in the course of employment;
- 2.1.12 any act of sexual misconduct or gross indecency;
- 2.1.13 aiding and abetting any act of Gross Misconduct.

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