

Disciplinary Rules

www.north-ayrshire.gov.uk

KA12 8EE
Irvine
Cunninghame House
North Ayrshire Council



NORTH AYRSHIRE
COUNCIL



INTRODUCTION

The following Rules apply to all employees and comprise a list of examples of misconduct and gross misconduct which might result in serious action, up to and including dismissal, being taken under the Council's Disciplinary Procedures. The Rules are organised into two groupings.

Firstly, there are types of misconduct which would lead to a sanction being applied dependant on the nature and seriousness of the misconduct and could result in action ranging from counselling to formal warnings and ultimately to dismissal. Examples are shown in Section 1 below.

Secondly, there are types of misconduct which are considered to be more serious and could constitute gross misconduct as such acts would be considered a breach of an employee's contractual terms. The sanction applied, therefore, could more likely result in dismissal with or without notice. Examples are shown in Section 2 below.

It is difficult to provide a list of all types of misconduct that could lead to disciplinary action. The following examples whilst not exhaustive, are provided for the guidance of staff and if further information or clarification of these rules are required, then employees should contact their Manager/Head Teacher, Human Resources or Educational Services (Personnel) at Cunninghame House, Irvine.

SECTION 1 – EXAMPLES OF MISCONDUCT

- Poor timekeeping
- Unauthorised absence
- Poor work performance
- Misbehaviour at work such as fighting, drunkenness or insulting behaviour.
- Actions that discredit the reputation of the Council.

Depending on the degree of seriousness of misconduct in relation to the above examples, Managers/Head Teachers should consider dealing with issues at least in the early stages through the use of informal advice, guidance and counselling. Problems should be fully discussed and support provided with the objective of encouraging and helping employees to improve. Support and counselling will be available even where it has been necessary to take disciplinary action under the Council's procedures.

NORTH AYRSHIRE
COUNCIL



SECTION 2 – EXAMPLES OF MISCONDUCT

- Theft of Council property or money or the theft of property or money of a fellow employee, client or person to whom the Council has a duty of care.
- Assault on a fellow employee (whether or not during working hours) or assault on a member of the public while acting or purporting to act on behalf of the Council.
- Fraudulent or dishonest behaviour.
- Deliberate damage to the Council's equipment or property.
- Serious negligence which causes unacceptable loss, damage or injury.
- Serious breach of the Council's policies and procedures on equal opportunities, dignity and respect at work, harassment, bullying, victimisation or aggression at work.
- Submitting false information in order to obtain an appointment or a promotion with the Council.
- Serious incapability through alcohol or being under the influence of illegal drugs or the sale or distribution of illegal drugs when at work.
- Unauthorised release of information or material to a third party amounting to a serious breach of confidence.
- Serious misuse of the Council's name or property (including computers and the internet) or the property of a third party while acting or purporting to act on behalf of the Council.