

KEY EMPLOYMENT POLICIES

EMPLOYEE INFORMATION BRIEFING

ISSUE 1: JUNE 2016



NEW POLICY



POLICY REVIEW



REGULAR REMINDER

AMENDMENT TO DISCIPLINARY CODE - MISCONDUCT OUT WITH WORKPLACE

POLICY OVERVIEW

- The council's [Disciplinary Code](#) sets out examples of misconduct that are considered to be in breach of the council's policies and workplace rules and will normally result in disciplinary action. The examples include forms of misconduct that are sufficiently serious to be classed as 'gross misconduct' and for which employees may be summarily dismissed without previous warning and without notice.
- The level of disciplinary action taken in any particular case will depend on the degree of seriousness of the misconduct, the employee's previous record and other relevant mitigating factors.
- While the [Disciplinary Code](#) mainly covers misconduct within the workplace and during normal working hours, it also extends to behaviour or conduct outside the workplace that contravenes the council's policies and/or is regarded as impacting on an employee's contract of employment with the council.
- Following consultation with the recognised trade unions, a section has been added to the Code which warns employees that conduct outside work may result in disciplinary action and potentially dismissal in certain circumstances.
- The Disciplinary Code is kept under review subject to any amendments to the content being brought to the attention of employees.

KEY INFORMATION FOR EMPLOYEES

- The provisions of the council's [Disciplinary Code](#) apply to you during working hours and in certain circumstances out with normal working hours where your behaviour detrimentally affects the council or another council employee.
- When considering whether behaviour out with the workplace should be dealt with as a disciplinary matter, the council will consider the following factors;
 - The relevancy of the conduct to the workplace and/or your contract of employment with the council
 - Any risk or damage to the council's reputation as a service provider caused by your conduct

- The impact of your conduct on your fellow workers, the council's customers and clients
- The extent to which your conduct has breached a council policy.
- Examples of misconduct out with the workplace that could result in disciplinary action being taken against you include: theft, fraud, bullying and harassment, other actions that breach the Equality Act, misuse of drugs and private use of Social Media in contravention of council policies. These examples are not exhaustive.
- You are strongly advised to familiarise yourself with the council's revised Disciplinary Code and all other key employment policies that impact on you in the workplace and in certain circumstances, outside of work.

ROLL OUT ARRANGEMENTS

- Services should ensure that records are kept of the date that employee briefings were conducted and the employees who attended. Those records may be subject to internal audit at any given time to ensure that council employment policies are being properly disseminated throughout services.
- Employees should be encouraged to read the council's [Disciplinary Code](#) together with the council's other employment policies and procedures, in particular the following:
 - [Code of Conduct for Employees](#)
 - [Code of Practice – Promoting Appropriate Working Relationships and Behaviour](#)
 - [Policy on Equality in Employment and Service Provision](#)
 - [Internet, Social Media and E- Mail Policy](#)
 - [Corporate Health & Safety Policy](#)
 - [Supporting Attendance at Work Policy and Procedure](#)
 - [Smoke Free Policy](#)
 - [Policy on Misuse of Alcohol and Other Substances](#)
- Employees should be advised that the above policies are available on Mytoolkit and accessible from work and home at:

<http://www.westlothian.gov.uk/article/2200/Policies-Procedures-and-Guidance>