**PERSONAL**

Dear

**FINAL WARNING**

I refer to the disciplinary hearing held on (*date*) in the presence of (*names of officers present, including companions if applicable*) during which you were requested to respond to allegations that (*detail allegations, as per the letter inviting to hearing*). This letter confirms the disciplinary action taken in your case.

###### Disciplinary decision

Having given full consideration to the issues that emerged during the course of the disciplinary hearing I confirm my decision that you be issued with a **final warning** within the terms of the Council’s disciplinary procedure.

\*I also confirm my decision that you be **demoted/transferred** *(delete one)* from your present post of *(job title)* to the post of *(job title)* with effect from *(day following the date of the disciplinary hearing)*. \*Your precautionary suspension is also lifted with effect from *(day following the date of the disciplinary hearing).* Your line manager will contact you to make arrangements for you to take up the post of *(job title)* as soon as possible and revised contractual documentation will follow in due course.

###### Reasons for the decision and expected improvement

My reasons for arriving at this decision are and the expected improvement in your conduct is, as follows:

1. **The nature of the unsatisfactory conduct was:**
2. **The main factors that I considered before arriving at my decision were:**

\*I also took into account the letter dated (*date*) which informed you that you had been issued with a first level warning in accordance with the disciplinary procedure. In that letter you were warned that if your conduct did not sufficiently improve, or if you committed a further act of misconduct, you were likely to receive a final warning.

1. **The expected improvement in conduct is:**
2. **The likely consequence of further misconduct or insufficient improvement is:**

Dismissal

###### Life of warning and monitoring of conduct

This final warning will remain on your personal file for a period of **twelve months of work\*\***, during which time your conduct will be monitored. This period may be extended to offset any significant period when you are not at work. If there are no further breaches of discipline during the life of this warning, it will be disregarded for disciplinary purposes and be removed from your personal file. If you commit a further offence of misconduct or fail to meet the required improvement set out in (c) above, this warning may be cited in any disciplinary proceedings resulting from that misconduct or insufficient improvement.

If you are eligible for a salary increment you should note that this warning will result in you not receiving your next salary increment. This is in accordance with the Performance Review and Development Scheme.

**Optional paragraph to be inserted where decision is taken to retain the data beyond the life of the warning:**

As the allegation(s) that has/have\* been upheld relate(s) to (*enter nature of allegations)* the warning will be removed from your personal file once it is spent but a confidential record of the warning will be retained for an indefinite period. This will only be accessed as part of the investigation process should you be subject to any further investigation into an allegation that relates to your professional registration. In this event, the Council may be obliged to disclose relevant retained information to your regulatory body e.g. General Teaching Council of Scotland, Scottish Social Services Council as required.

###### Your right of appeal

You have the right of appeal against this outcome if you consider the penalty is unduly severe or inconsistent, where new evidence emerges that may affect the decision or where there have been significant defects in the disciplinary procedure.

Should you consider you have grounds to appeal against the disciplinary action taken against you, you can choose to either have your appeal heard by a Chief Official or by the Appeals Sub Committee.

If you wish to have your appeal heard by a Chief Official then you must register your appeal in writing to (name of Director), Director of (*Service*). If you choose to have your appeal heard by the Appeals Sub Committee then you must register your appeal in writing to the Clerk of the Appeals Sub Committee, Aberdeen City Council, Governance, 1st Floor Town House, Broad Street, Aberdeen, AB10 1AQ. Your appeal must be registered within **ten working days** of receipt of this letter.

To be a competent appeal you must state the grounds on which your appeal is based and set out in sufficient detail:

* Why you consider the finding or the penalty to be unduly severe or inconsistent;
* The new and relevant evidence that has come to light that was previously unavailable;
* Why you consider that the disciplinary procedure wasn't used correctly and how you were unfairly disadvantaged because of this.

Yours sincerely

###### NAME OF OFFICER CONDUCTING DISCIPLINARY HEARING

* **\* Delete these sections if not applicable.**

**\*\* This timescale can be extended where the misconduct is so serious that it is reasonable to consider it for disciplinary purposes for a longer period. Please take HR / Legal advice for this is required.**