

Stranton PCC (“The Parish”) Disciplinary Policy and Procedure

The Parish’s aim is to encourage improvement in individual conduct and performance. When the Church’s rules are breached or where performance falls consistently short of the standards required, remedial action may be taken by The Parish. Please note that these procedures do not form part of your terms and conditions of employment.

Before taking formal disciplinary action, your Line Manager will make every effort to resolve the matter by informal discussions with you. Only where this fails to bring about the desired improvement, should the formal disciplinary procedure be implemented.

During your probationary period (if specified in your letter of appointment), the Parish reserves the right to waive any or all of the warning steps or proceeding to any disciplinary hearing or appeal, or to terminate your contract, by giving you the required written notice or payment in lieu.

If you are subject to disciplinary action the Parish will observe the following principles:

- The Parish will aim to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- The Parish will aim if possible to conclude an initial investigation under this policy within three weeks and advise you of the reasons and anticipated completion date, if it will take any longer for reasons outside its control.
- at every stage, you will be advised of the nature of the complaint and be given the opportunity to state your case.
- you will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- you will have a right to appeal against any disciplinary action taken against you.
- the disciplinary process may be commenced at any stage of the process appropriate to the alleged misconduct.
- you have a statutory right to be accompanied at meetings by a friend, colleague or a trade union representative, if you are a member of a trade union. Please note that this person will only be permitted to support the individual and witness the meeting, and will not be permitted to participate any other way.
- the Parish will make and keep written notes of all disciplinary meetings held. Both you and your manager will agree and sign the notes and a copy will be kept in your personal file.

Verbal warning. If, despite informal discussions, your conduct or performance does not improve to meet acceptable standards, you may be given a formal verbal warning by your Line Manager.

You will be told:

- the reason for the warning.
- that this warning is the first stage of the disciplinary procedure.
- that you have a right of appeal.
- you will be given a note of what was said which will be signed by you and your manager.
- a brief note of the warning will be kept on your records but it will lapse after 6 months, subject to satisfactory conduct and/or performance.

Written warning. If there is still no improvement in standards, or if a further offence occurs, a written warning will be given. This will state the reason for the warning and a note that, if there is

no improvement after 3 months, a final written warning will be given. A copy of this first written warning will be kept on file but the warning will lapse after 12 months subject to satisfactory performance.

Final written warning. If your conduct or performance remains unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning, then a final written warning will be given, making it clear that any recurrence of the offence or other serious misconduct within a period of 6 months will result in dismissal. A copy of the warning will be kept on file but the warning will lapse after 12 months subject to satisfactory conduct and/or performance.

Dismissal. If there is no satisfactory improvement or if further serious misconduct occurs, you will be dismissed. The decision to dismiss will be taken by a senior member of the clergy in consultation with a member of the PCC.

Gross Misconduct. If, after investigation, it is deemed that you have committed an offence of Gross Misconduct, the normal action would be dismissal:

The following list provides examples of behaviour that could be considered gross misconduct but is not exhaustive.

- theft, fraud, deliberate falsification of records
- fighting, assault, abuse, bullying or harassment of another person
- deliberate damage to Church property
- serious incapability through alcohol or being under the influence of illegal drugs
- serious negligence which causes unacceptable loss, damage or injury
- serious acts of insubordination.
- abuse of children, young people or vulnerable adults
- inappropriate use of the internet and or computers, or unauthorized access to computer or other records.

Suspension. The Parish may suspend a staff member from duty to allow a nominated representative of the PCC to investigate any alleged complaint made against a staff member in relation to their employment at The Parish. Such suspension will not be regarded as disciplinary action, will be paid as normal and will be for as short a period as possible.

Any decision to dismiss will be taken only after a full investigation. If you are found to have committed an act of Gross Misconduct, you will be summarily dismissed without notice or payment in lieu.

During any period of notice of termination whether by the Parish or the staff member, the Parish will not be under any obligation to assign any duties or provide work and shall be entitled to exclude a person from its premises, provided that this does not affect entitlement to receive normal salary and other contractual benefits. During such a period no accrual of holiday will continue other than under the provisions of the Working Time regs.1998.

Appeals. If you wish to appeal against any disciplinary decision, you must appeal in writing to the Chair of the Parochial Church Council within 14 working days of the decision being communicated to you. You may be accompanied at an appeal hearing by a friend, colleague or representative.

At the Appeal Hearing, any disciplinary penalty imposed will be reviewed but it cannot be increased. The appeal will be heard by two representatives appointed by the Parochial Church Council (which may include members of Central Hartlepool Group parishes) and should include where possible one Church Warden, with the proviso that none of the members of the hearing have been involved previously with the disciplinary case, The decision of the Appeal Hearing will be final.

Review This policy will be reviewed annually.