St James' Church Hemingford Grey

Disciplinary Procedure

1. Purpose and Scope

a. This procedure is designed to help and encourage all staff to achieve and maintain standards of performance and conduct.

b. The Parochial Church Council (PCC) has a responsibility to ensure that disciplinary practices and procedures are effective, fair and consistently applied.

c. The procedure applies to all employees, with the exception of those in their probationary period.

2. Principles

The following principles will apply:
a. At all stages you will be given the opportunity to state your case;

b. At all stages of the formal process you will have the right to be accompanied by a certified trade union official or by a fellow worker employed by the PCC;

c. At all stages of the formal process you will be given reasonable notice of the date and time of any formal disciplinary meeting;

d. All matters relating to the disciplinary procedure, where possible, will be dealt with promptly and without undue delay. If there are logistical issues then time limits specified within the procedure may be extended. Should this be the case the earliest mutually agreeable date will be set and confirmed in writing;

e. Information relating to the disciplinary issue shall be conducted in a private environment and as far as is reasonably possible remain confidential;

f. Decisions will be communicated to you promptly and in writing – normally within 10 working days.

3. Informal Action

a. Minor shortcomings will be dealt with informally through discussion, advice, coaching and counselling with the Line Manager, rather than through the disciplinary procedure.

b. Where a disciplinary issue has been identified the Line Manager will promptly gather all the relevant facts and meet informally with the staff member to:

- Inform them of the unsatisfactory performance
- Seek an explanation and consider any mitigating circumstances
- State the level of improvement required
- Agree any appropriate support/training
- Set a reasonable timescale for monitoring and review
- State the action that may follow if you fail to achieve the required improvement

c. Where there is failure to improve, or, if the matter is more serious, then the Formal Disciplinary Procedure is to be used.

4. Formal Disciplinary Procedure

a. To ensure fairness in disciplinary matters whether related to conduct or performance, a person will be appointed by the PCC to attend to personnel issues amongst its employees (hereafter referred to as the appointed person).

b. The appointed person (on behalf of the PCC) will investigate thoroughly any potential disciplinary issue prior to any decision being made to instigate the formal disciplinary procedure.

c. A written record will be made of all meetings and will be made available to all parties concerned.

d. The disciplinary procedure in normal circumstances (see below for exceptions) will be as follows:

i. Initial Problem unable to be resolved informally Formal oral warning
ii. Should performance/conduct remain unacceptable First written warning
iii. Should performance/conduct remain unacceptable Final written warning
iv. Should performance/conduct remain unacceptable Dismissal

e. The PCC through the appointed person reserves the right to instigate the disciplinary procedure at any stage (i-iv) depending upon the seriousness of the matter that is to be investigated and for which you may be disciplined.

When there is a concern in relation to your conduct or performance which may result in disciplinary action, the appointed person, following investigation, will set out in writing the alleged conduct or complaint which has led the PCC to consider disciplinary action and this will be sent to you requesting that you attend a disciplinary meeting with a panel appointed by PCC.

g. This statement will inform you as to the basis of the grounds leading to the disciplinary meeting, and you will be given a minimum of 10 working days to consider and prepare your response prior to the disciplinary meeting.

h. It will also confirm your right to be accompanied at the meeting by a work colleague or trade union official.

i. The PCC through the appointed person may suspend you from your duties during this preparation period, if appropriate, but you will be given appropriate access to people and information, that you may need to prepare your response.

j. Prior to, and during the course of, the meeting you will be given opportunity to make your own representations. No action will take place before that meeting has taken place.

k. You have the right to seek adjustment of the time and date of the meeting within a 10 working days timescale but must take all reasonable steps to attend the meeting.

l. After that meeting has taken place, you will be informed of any decision within 10 working days and you will also be advised of your right to appeal against that decision.

5. Appeals Procedure

a. You have the right to appeal against any level of disciplinary decision or action (including dismissal).

b. The appeal must be made in writing to the appointed person of the PCC, within ten working days of you being informed of that disciplinary decision.

c. You will be invited to attend an appeal meeting; which will be heard by two people independent of the original disciplinary panel together with one member of the disciplinary panel.

d. The procedure for the appeal will be the same as the initial meeting and after that appeal meeting has taken place you will be informed of the final decision of the PCC.

6. Gross Misconduct (exceptions to normal procedure)

a. In cases of alleged gross misconduct you may be suspended from work on full pay, normally for no more than ten working days, while the appointed person of the PCC investigates the alleged offence fully.

b. If, on completion of the investigation and having heard your case (if you choose to state it), the appointed person is satisfied that gross misconduct has occurred, the appointed person will make a recommendation to the personnel committee. The disciplinary action will normally be summary dismissal without notice and without payment in lieu of notice. The decision will be shared with the PCC.

c. A non-exhaustive list of examples of gross misconduct includes:

- theft or removal of PCC / SJHG goods or property without authority;
- falsification of time sheets or records;
- malicious damage;
- actual physical violence or threatened physical violence;
- grossly impaired responsibility or job performance due to alcohol or drugs;
- contravention of Health and Safety regulations;
- corruption, contamination or use of the SJHG computer systems or the computer you use to access the office system with materials deemed to be offensive;
- action by you which may bring the name of the PCC / SJHG into serious disrepute whether on or off duty.

d. The PCC reserves the right to suspend you with pay pending an investigation where the PCC has reasonable grounds to believe your continued presence at work might be prejudicial to the interests of the PCC / SJHG.

e. With reference to all steps concerning the above modified disciplinary procedure, each step and action under the procedure will be taken without unreasonable delay and all meetings will be conducted in a manner that enables both the PCC and you to explain their respective cases and meetings shall take place at a reasonable time and location.

f. It is incumbent on both you and the appointed person of the PCC to cooperate with each other in operating the procedure.

	Signed	Date
Incumbent	T. Alley	24. 9. 26
Churchwarden		