



# Parish of Immanuel & St Andrew

Registered Charity 1131245

## Disciplinary Procedure

### Purpose and Scope:

The aim of this procedure is to encourage improvement in individual conduct, to help you improve, not to punish you. The procedure sets out the action which will be taken when disciplinary rules are breached.

### Principles:

The procedure is designed 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. At every stage you will have the opportunity to state your case and be represented, if you wish, at a hearing by a fellow employee or trade union representative. You have the right to appeal against any disciplinary penalty.

### The Procedure:

#### Informal action:

Cases of minor misconduct or unsatisfactory performance will be dealt with informally. You will be encouraged to make the necessary improvement and will be offered additional guidance, support, training and supervision as appropriate. You will be informed that, should the required improvement be achieved, that will be the end of the matter. There will, however, be situations where matters are more serious or where an informal approach has been tried but isn't working. If informal action doesn't bring about an improvement, or the misconduct or unsatisfactory performance is considered to be too serious to be classed as minor, the matter will be dealt with under the formal procedure.

#### Stage 1 - Written Warning:

If it is considered that there has no improvement in your standards, a further offence has occurred, or the offence is such as to warrant it at the outset, you will be given a WRITTEN WARNING by your line manager. Confirmation will be given in writing which will include the reason for the warning, an explanation as to future expectations and a note that, if there is insufficient improvement within the designated timescale (usually no more than 6 months) a final written warning will be given.

#### Stage 2 - Final Written Warning:

If your conduct or performance is still unsatisfactory, or the offence is sufficiently serious to warrant it at the outset, a FINAL WRITTEN WARNING will be given by your line manager, making it clear that any recurrence of the offence or other serious misconduct within a period of 12 months will result in dismissal.

#### Stage 3 - Dismissal:

If there is no satisfactory improvement or if further serious misconduct occurs, or the offence is one of Gross Misconduct, you will normally be DISMISSED. Any decision to dismiss will be taken by a panel appointed by the PCC. Except in the case of Gross Misconduct, dismissal will be with contractual notice.

### Gross Misconduct:

Gross misconduct is misconduct so serious that it could justify dismissal without previous warnings and without notice. If, after investigation and an opportunity to state your case, it is confirmed that you have committed an act of gross misconduct you will normally be dismissed without notice or pay in lieu thereof. The following is a list of examples of gross misconduct. It is for guidance only and is not

exhaustive:

- Theft
- Fraud
- Damage to Parish Property
- Physical Assault
- Gross Insubordination
- Gross Negligence

While alleged gross misconduct is being investigated you may be suspended, during which time the normal hourly rate will be paid. Any decision to dismiss will be taken by a panel appointed by the PCC.

**Appeals:**

If you wish to appeal against any disciplinary decision, you must do so within fourteen days of the decision being conveyed to you. The appeal will be heard by a panel of the PCC who will decide the case as impartially as possible. Their decision will be final.

Date: 22 June 2022