



Disciplinary and Appeal Policy and Procedure

May 2021

St James Church, Clitheroe

Disciplinary and Appeal Policy and Procedure

Purpose and Scope

St James' Church's aim is to encourage improvement in individual conduct or performance. This procedure sets out the action which will be taken when disciplinary rules are breached. This policy is for employees of St James (Clitheroe) PCC only.

Principles

The procedure is designed to establish the facts quickly and deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

At every stage, employees will be informed in writing of what is alleged and have the opportunity to state their case and be accompanied, if they wish, at the hearings by a trade union representative or work colleague.

The employee is expected to make every effort to attend a disciplinary hearing or investigatory meeting. Failure to do so without good reason may result in the hearing being held without the employee being present.

An employee has the right to appeal against any disciplinary penalty.

Procedure

Stage 1: First Warning

If conduct or performance is unsatisfactory, the employee will be given a written warning. Such warnings will be recorded as disregarded after six months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. When the first offence is sufficiently serious it may be justifiable to move directly to a final written warning.

Stage 2: Final Written Warning

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for warning and a note that if no improvement results within six months action at Stage 3 will be taken.

Stage 3: Dismissal or action short of dismissal

If the conduct or performance has failed to improve, the employee may suffer demotion, disciplinary transfer, loss of seniority or dismissal.

Gross Misconduct

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive) the normal consequence will be dismissal without notice or payment in lieu of notice:

- any act of dishonesty that affects your ability or suitability for continuous employment
- theft
- damage to property
- fraud
- incapacity for work due to being under the influence of alcohol or illegal drugs
- physical violence
- bullying
- gross insubordination
- bringing St James Church into serious disrepute
- unauthorised absence from work including failure to comply with the Church's sickness and absence policy and procedures
- serious breach of confidentiality
- wilful or negligent damage to, or misuse, or unauthorised use, of the Church's property or facilities
- serious breach of health and safety policy and rules including endangering self and/or others
- serious breach of the equality and diversity policy including discrimination, bullying and/or harassment.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by St James PCC only after full investigation.

Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the named person in the organisation (Vice Chair of the PCC) within five working days. The employer will hear the appeal and decide the case as impartially as possible.