



CAVERSHAM THAMESIDE AND MAPLEDURHAM

ST PETER | ST MARGARET | ST JOHN

PCC DISCIPLINARY PROCEDURE

Purpose and Scope

The parish aim is to encourage improvement in individual conduct of paid employees working on behalf of the parish where conduct falls below reasonable expectations. This procedure sets out the action which will be taken when disciplinary rules are breached by those employed by the Parochial Church Council of the Parish of Caversham Thameside and Mapledurham ('the PCC'). The disciplinary procedure may follow the investigation of a complaint or a grievance, or the investigation of an allegation of abuse, but must be operated as a separate procedure.

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. During the investigation stage, the employee may be asked to attend a meeting with the investigating officer to allow further enquiry and investigation. There is no right to be accompanied at this stage. Should the matter proceed to a disciplinary hearing, the employee will be notified of this writing and be given at least 48 hours' notice. The notice will set out the allegations against the employee in full and the employee will be provided at this stage with any evidence upon which the employer wishes to rely. The employee will be reminded of their right to be accompanied by an accredited trade union representative (who will need to provide their identification as such) or a work colleague. A copy of this policy should also be sent to the employee. At every stage the subject of the disciplinary procedure will have the opportunity to state his or her case; to be represented, if they wish, at the hearings by a work colleague or trade union representative; and will have the right to appeal against any disciplinary penalty. The representative may put the case on behalf of the employee but may not answer questions on their behalf.

Procedure

Informal Discussions

Cases of minor misconduct or unsatisfactory performance will be dealt with informally. The subject of the disciplinary procedure will be encouraged to make the necessary improvement and offered additional guidance, support, training and supervision as appropriate. He or she 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 is not working. If informal action does not 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 following formal procedure.

Step 1 – Written Warning

If there is no improvement in standards, or if a further offence occurs, or the offence is such as to warrant it at the outset, the subject of the disciplinary procedure will be given a WRITTEN WARNING by their line manager or the person responsible for co-ordinating their work, which will include the reason for the warning 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.

Step 2 – Final Written Warning

If 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 the line manager or person co-ordinating the work, making it clear that any recurrence of the offence or other serious misconduct within a period of usually 12 months will result in dismissal.

Step 3 – Dismissal

If there is no satisfactory improvement, or if further serious misconduct occurs, or if the offence is one of Gross Misconduct, the subject of the disciplinary procedure will normally be DISMISSED from the office they hold. Any decision to dismiss will be taken by a panel of three members appointed by the PCC, who should all be members of the PCC and include either a member of the clergy or a churchwarden. The panel will receive in advance from the investigating officer all the documentation relating to the offence under consideration. The documentation will also be made available in advance to the subject of the disciplinary procedure. At the hearing, the panel will hear evidence from the line manager and subsequently from the subject of the hearing; witnesses may be called by both parties. The panel will then form a judgement as to whether the offence is proven on the balance of probability. If so, the panel will then receive evidence as to any previous warning given which has not yet expired. They will then make a decision regarding the dismissal or otherwise of the subject of the disciplinary procedure.

Gross Misconduct

Gross misconduct is misconduct so serious that it could justify dismissal without previous warnings and without notice or pay in lieu thereof. If, after investigation, it is confirmed that an employee of the PCC has committed an act of gross misconduct, s/he will normally be dismissed, following the procedure in 4 above. The following is a list of examples of gross misconduct. It is for guidance only and is not exhaustive:

- Theft or unauthorised possession of any property or facilities belonging to the Parish
- Gross insubordination
- Gross negligence
- Serious damage deliberately sustained to parish property
- Deliberate falsification of parish reports, accounts, expense claims or self-certification forms
- Bribery or corruption
- Refusal to carry out duties or reasonable instructions or to comply with parish policies and procedures
- Conduct unbecoming or inappropriate to the office and work
- Conduct amounting to a deliberate loss of business
- Misconduct in relation to the safety of children or adults who may be vulnerable
- Serious misconduct as a result of being intoxicated by reason of alcohol or illegal drugs
- Violent, dangerous or intimidatory conduct
- Sexual, racial or other harassment of a colleague or parishioner

- A criminal offence, which may (whether it is committed in the context of or outside the person's work for the parish) adversely affect the reputation of the parish, the person's suitability for the type of work he or she does, or his or her acceptability to colleagues or parishioners.

Suspension

While alleged gross misconduct is being investigated, the subject of the disciplinary procedure may be suspended, during which time s/he will be paid at his or her normal rate of pay. S/he will be entitled to written reasons for the suspension within 3 working days of being suspended.

Appeals

If the subject of the disciplinary procedure wishes to appeal against any disciplinary decision, s/he must do so within one week of the decision being conveyed to him/her. The appeal will be heard by a panel of three members appointed by the PCC, not including anyone who has been involved in the process thus far. At least two members of the panel should be PCC members, and one should be either a churchwarden or the incumbent. The second panel will decide the case as impartially as possible and will not have been involved in earlier stages of the disciplinary process. The panel will receive all the documentation from previous stages of the disciplinary procedure; the documentation will also be made available in advance to both the subject of the disciplinary procedure and the line manager. The panel will then hear evidence from the line manager, the subject of the hearing, and witnesses may be called. The panel will then make its decision regarding the dismissal or otherwise of the subject of the disciplinary procedure. The panel's decision will be final.

Cross References

- Further useful information can be found on www.direct.gov.uk
- Further useful information can be found on www.acas.org.uk
- Grievance Policy

Approved by PCC
September 2014

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