

## **DISCIPLINARY PROCEDURE OF BOWTHORPE CHURCH**

### **Purpose of the Procedure**

1. Our aim is to encourage improvement in individual conduct and performance. Whilst we do not intend to impose unreasonable rules of conduct on our employees, certain standards of behaviour are necessary to maintain good working order and discipline.
2. Discipline should be voluntary and self-imposed and in the great majority of cases it is so. However, from time to time, it may be necessary to take action towards individuals whose behaviour or performance is unacceptable.
3. Many cases of misconduct and most cases of poor performance may best be dealt with by informal advice, coaching and counselling. Where the matter is more serious, or a reasonable improvement does not occur, the guidelines and procedure described below will be followed.

### **Principles**

If you are subject to disciplinary action:

- 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 be advised of the nature of the complaint, be given the opportunity to state your case, and be represented or accompanied by a fellow employee of your choice.
  - If this is not practical then you may ask to be accompanied by a friend not acting in a legal capacity. Agreement will be at your employer's discretion.
- You will be notified in writing a few days prior that a Disciplinary meeting is to take place. The letter will confirm the date, time and place and also who will be present. The letter will set out the reason for the meeting together with any supporting evidence.
- 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 have a right to appeal against any disciplinary action taken against you.

- The procedure may be implemented at any stage if your alleged misconduct or performance warrants such action.
- Your employer will normally give prior notice to the Local Advisory Group of the intention to enter into any of the stages of Disciplinary Procedure including any action to be taken in relation to gross misconduct unless this will cause any undue delay to the process.

### **Informal Discussion/Counselling**

Before taking formal disciplinary action your supervisor 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.

### **THE PROCEDURE**

#### *Stage 1: Formal Verbal Warning*

If, despite informal discussions, your conduct or performance does not meet acceptable standards, your supervisor will give you a formal verbal warning. You will be told:

- The reason for the warning
- That this is the first stage of the disciplinary process
- That you have a right of appeal

A brief note of the warning will be kept but it will lapse after six months, subject to satisfactory conduct and/or performance.

#### *Stage 2: Written Warning*

If there is no improvement in standards, or 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 within three months, or any recurrence of the offence occurs, a final written warning will be given. A copy of this first written warning will lapse after 12 months subject to satisfactory conduct and/or performance.

### *Stage 3: 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 12 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.

### *Stage 4: Dismissal*

If there is no satisfactory improvement or if further serious misconduct occurs, you will be dismissed.

### **Gross Misconduct**

Offences under this heading are so serious that any employee who commits them may, after a hearing has been held, be summarily dismissed. Examples of conduct which may constitute gross misconduct are:

- Theft, fraud, deliberate falsification of documents
- Physical violence
- Deliberate damage to church property
- Conduct which brings Bowthorpe Church LEP into disrepute
- Serious bullying or harassment
- Racial or sexual discrimination
- Being unfit for work through alcohol or illegal drugs
- Gross negligence
- Gross insubordination

This list is not meant to be exhaustive.

### *Suspension*

In certain circumstances, for example, where potential gross misconduct is being investigated, you may be suspended during which time you will be paid your normal rate. Such suspension is not to be regarded as a form of disciplinary action and will be for as short a period as possible. If you are found to have committed an act of gross misconduct, you will be dismissed without notice or payment in lieu.

### **Appeals Against Disciplinary Action**

1. Any appeal against disciplinary action must be made by writing within 10 working days of the disciplinary action being notified to you.
2. A senior representative of the Church not previously involved in the original disciplinary action will hear an appeal against stages 1 to 3 and decide the case as impartially as possible.
3. Employees may appeal in writing to the Chair of the Local Advisory Group against a decision to dismiss. The Chair will arrange for the appeal to be heard by a panel of three members made up of himself, or another member of the L.A.G. designated by the Chair, and two lay people. The decision of the panel in writing will be final.
4. Wherever possible the appeal will be held within 21 days of receipt of the application to appeal.