

DISCIPLINARY AND GRIEVANCE POLICY AND PROCEDURES

Disciplinary Policy and Procedures

1) Purpose and scope

St Peter's Baptist 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 or where performance is unsatisfactory.

2) Principles

- a) The procedure is designed to establish the facts quickly and to deal consistently with disciplinary and performance issues. No action will be taken until the matter has been fully investigated.
- b) At every stage employees will be informed in writing of what is alleged and have the opportunity to state their case at a disciplinary meeting. The employee has a right to be accompanied, if they wish, by a trade union representative or a work colleague. The representative has the right to explain and sum up the employee's case and to respond to any views expressed at any hearing or investigatory meeting. He or she may not answer questions on the employee's behalf.
- c) 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.
- d) An employee has the right to appeal against any disciplinary penalty.

3) The Procedure

Stage 1 – First warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded, but disregarded after 6 months of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained improvement or satisfactory change in conduct or performance.

Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the Church, 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 performance, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 6 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 be dismissed. Alternatively, depending on the circumstances an employee may suffer demotion, disciplinary transfer including loss of seniority or loss of other terms and conditions of employment.

4) 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 continued employment including theft, damage to property or fraud, both inside or outside work;
- incapacity for work due to being under the influence of alcohol or illegal drugs;
- bullying and harassment or other intimidatory or offensive behaviour including acts or threats of physical violence towards others;
- serious insubordination or rudeness to colleagues, clients, or key stakeholders;
- bringing St Peter's Baptist Church into serious disrepute;
- breaches of organisational, employee or client confidentiality other than minor breaches;
- unauthorised absence from work including failure to comply with the Church's sickness and absence policy and procedures;
- serious breach of confidentiality (subject to the Public Interest (Disclosure) Act 1998);
- wilful or negligent damage to, or misuse, or unauthorised use, of the Church's property or facilities;
- serious negligence which causes or might cause loss, damage or injury;
- serious breach of Church rules and procedures;
- serious breach of health and safety policy and rules including endangering self and/or others
- serious breach of the equal opportunities policy including discrimination, bullying and/or harassment.

Suspension

While the alleged gross misconduct is being investigated, the employee may be suspended at any stage during the procedure. While suspended the employee will be paid their normal pay and will be required to be available to attend meetings during normal working hours.

A decision to suspend may be made by the Senior Minister/designated Church Leader or other appointed deputy. While suspended an employee may not normally visit Church premises or discuss the process with any employee of St Peter's Baptist Church without the consent of the Senior Minister/designated Church Leader.

The Church will arrange for appropriate pastoral support for employees during any period of suspension. The Church may request that an employee does not attend services at St Peter's Baptist Church until matters are resolved.

Suspension is not a penalty but a precautionary measure and will not prejudice any disciplinary meeting. The Church may appoint a member of the Leadership Team to undertake the investigation or an independent investigator or external advisor to assist them. The Church will use its best endeavours to minimise the length of suspension period.

Any decision to dismiss will be taken by the employer only after full investigation has taken place and the employee has had the opportunity to state their case.

Where the employee falls sick during suspension or the disciplinary process the sickness procedure will apply.

5) Appeals

An employee who wishes to appeal against any disciplinary decision must do so in writing to the Senior Minister/designated Church Leader within five working days. Appeals will, so far as is reasonably practicable, be held within 10 working days of receiving the appeal notification.

Given the size and resources available to the Church it may be necessary for the same people to hear an appeal as were involved in the original disciplinary decision. The Church will hear the appeal and decide the case as impartially as possible.

Grievance policy and procedure

1) Dealing with grievances informally

If you have a grievance or complaint to do with your work or the people you work with you should, wherever possible, start by talking it over with your line manager. You may be able to agree a solution informally between you.

2) Formal grievance

If the matter is serious and/or you wish to raise the matter formally you should set out the grievance in writing to your line manager. You should stick to the facts and avoid language that is insulting or abusive.

Where your grievance is against your line manager and you feel unable to approach him or her you should write in the first instance to the Senior Minister/designated Church Leader or a member of Leadership Team. The Church may appoint members of the Leadership Team or an independent person to hear your grievance.

3) Grievance hearing

Your line manager or the Senior Minister/designated Church Leader will call you to a meeting, normally within ten working days, to discuss your grievance. You have the right to be accompanied by a work colleague or trade union representative at this meeting. After the meeting the Church will give you a decision in writing, normally within 48 hours (excluding weekends).

4) Appeal

If you are unhappy with the decision and you wish to appeal you should write to the Senior Minister/designated Church Leader in writing within five working days. You will be invited to an appeal meeting, normally within ten working days of the Church receiving your appeal. Your appeal will be heard by an Appeal Panel who may include the Senior Minister/designated Church Leader or members of the Leadership Team, as appropriate. An independent person may also be appointed for the purpose of hearing your grievance appeal.

So far as is practicable the appeal panel will involve people who were NOT directly involved in the original grievance hearing. The Appeal Panel will hear the appeal independently and decide the case as impartially as possible.

You have the right to be accompanied by a work colleague or trade union representative at this meeting. After the meeting the Church will give you a decision of the Appeal Panel in writing, normally within 48 hours (excluding weekends). Their decision is final.

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