

West Swindon and Lydiard Tregoze Church Partnership
The Partnership Council

DISCIPLINARY PROCEDURE

(1)PURPOSE AND SCOPE

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for all.

(2)PRINCIPLES

(a)No disciplinary action will be taken against anyone until the case has been fully investigated.

(b)At every stage in the procedure the employee will be advised of the nature of the complaint against her and will be given the opportunity to state her case before any decision is made.

(c)At all stages the employee will have the right to be accompanied by a trade union representative, employee representative or work colleague during the disciplinary interview.

(d)No employee will be dismissed for the first breach of discipline except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.

(e)An employee will have the right to appeal against any disciplinary penalty imposed.

(f)The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

(3)THE PROCEDURES

Minor faults will be dealt with informally but where the matter is more serious the following procedure will be used.

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the employee will normally be given a formal ORAL WARNING. The employee will be advised of the reason for the warning, that it is the first stage of disciplinary procedure and of the right to appeal. A brief note of the oral warning will be kept but it will be spent after 6 months subject to satisfactory conduct and performance.

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the employee by the manager. This will give details of the complaint, the improvement required and the timescale. It will warn that action under Stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept by the manager but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct and performance.

Stage 3 - Final written warning or disciplinary suspension

If there is still a failure to improve and conduct or performance is still unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal (in effect both first and final written warning) a FINAL WRITTEN WARNING will normally be given to the employee. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement and will advise of the right of appeal. A copy of this final written warning will be kept by the line manager but it will be spent after 12 months (in exceptional cases the period may be longer) subject to satisfactory conduct and performance..

Alternatively, consideration will be given to imposing a penalty of a disciplinary suspension without pay for up to a maximum of three weeks.

Stage 4 - Dismissal

If conduct or performance is still unsatisfactory and the employee still fails to reach the prescribed standards, the employee may be dismissed. Only the Partnership Council (acting through the Executive Committee) can take the decision to dismiss. The employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which employment will terminate and the right of appeal.

(4)GROSS MISCONDUCT

The following list provides examples of offences which are normally regarded as gross misconduct:

gross disobedience, insubordination, gross neglect of duty, dishonesty or any criminal offence likely to bring the Partnership, its officers, the ordained staff into disrepute.

If the employee is accused of an act of gross misconduct the employee may be suspended from work on full pay, normally for no more than one week (unless a longer period is reasonably required to properly investigate the matter), while the line manager investigates the alleged offence. On completion of the investigation the line manager will report his findings to the Chair of the PC who will decide upon the disciplinary action to be taken. If necessary, the Chair of the PC may refer the matter to the Executive Committee of the PC. If the Executive Committee is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

(5)APPEALS

An employee who wishes to appeal against a disciplinary decision should inform the Executive Committee of the PC within one week. A senior denominational officer will hear all appeals and his/her decision is final. At the appeal any disciplinary penalty imposed will be reviewed but cannot be increased.

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GRIEVANCE PROCEDURE

All staff members have the right to raise any matter with their immediate superior and the most satisfactory solution to individual problems is for agreement to be reached at this level. When agreement cannot be reached within one week (unless exceptionally a longer period is agreed) the formal grievance may be invoked. The procedure is set out below.

Stage 1

Identification: The first step is for the employee to discuss the problem with her immediate superior informally to establish whether it can be resolved without resort to the formal procedure.

Stage 2

When it is established that a grievance exists the matter is to be referred to the Chair/Vice Chair of PC. If the matter cannot be resolved to the satisfaction of the employee, the matter must be referred within one week to the Executive Committee of the PC.

Stage 3

The Executive Committee of the PC are to consider the matter expeditiously, interview the parties and make a decision within three working days.