



St Andrew's, Alresford
St Anne & St Laurence, Elmstead Market
St Mary Magdalen, Frating with Thorrington

Tenpenny Villages

Disciplinary Procedure

Purpose and Scope

The aim of the Parochial Church Councils ('PCCs') of Tenpenny Villages Disciplinary Procedure is to encourage improvement in individual conduct and/ or performance where this falls below reasonable expectations. This procedure sets out the action which will be taken when an employee (or volunteer where deemed necessary) of Tenpenny Villages PCCs fails to meet satisfactory standards with regard to conduct or performance.

Principles

The procedure is designed to establish the facts quickly and deal consistently with disciplinary issues. For issues relating to conduct, no formal disciplinary action will be taken until an issue has been fully investigated.

At every stage of the disciplinary procedure employees/volunteers will have the opportunity to state their case and be accompanied by a trade union representative or work place colleague.

An employee/volunteer has the right to appeal against any formal disciplinary decision.

Procedure

Informal Discussion

Cases of minor misconduct or unsatisfactory performance will be dealt with informally, with concerns brought to the attention of the employee/volunteer so that corrective action may be taken. 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 no further action will be taken. 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 performance, further misconduct occurs or the concern is more serious the employee/volunteer will be given a written warning by the Rector.

A disciplinary hearing will be held between the Rector, a Church Warden, and the employee/volunteer. The employee/volunteer will be advised in writing of the reason for the hearing prior to it taking place. The notification will also give details of the time and venue of the hearing and advise the employee/volunteer of their right to be accompanied. Following the hearing the written warning should set out:-

The nature of the misconduct or poor performance

The change in conduct or performance required:-

- Conduct- the employee/volunteer will be advised that if further misconduct occurs a final written warning will be issued by the Rector
- Performance- a timescale within which the change in performance is required will be given to the employee/volunteer. Regular support meeting with the Rector or another appropriate supervisor will be arranged over this time. If there is no improvement in performance over the designated timescale further options will be considered, including further monitoring and review and/or a final written warning will be issued by the Rector

The right to appeal to the PCC within 5 working days of receiving the disciplinary decision

The written warning will be placed in the employee's/volunteer's personal file but will be disregarded for disciplinary purposes after a period of 12 months subject to the achievement and sustainment of satisfactory conduct and/or performance.

Step 2 – Final written warning

If the misconduct or unsatisfactory performance is sufficiently serious, there is no improvement in standards or a further misconduct of a similar kind occurs, a final written warning for 12 months will be issued by the Rector

A disciplinary hearing will be held between the Rector, a Church Warden, and the employee/volunteer. The employee/volunteer will be advised in writing of the reason for the hearing prior to it taking place. The notification will also give details of the time and venue of the hearing and advise the employee/volunteer of their right to be accompanied at the meeting.

The final written warning should set out:-

The nature of the misconduct or poor performance

The change in conduct or performance required:-

- Conduct- the employee/volunteer will be advised that further misconduct will normally result in dismissal.
- Performance- a timescale within which the change in performance is required will be given to the employee/volunteer. Regular support meeting with the Rector or another appropriate mentor will be arranged over this time. If there is no improvement in performance over the designated timescale further options will be considered, including further monitoring and review or dismissal.
- The right to appeal to the PCC within 5 working days of receiving the disciplinary decision

The final written warning will be placed in the employee's/volunteer's personal file but will be disregarded for disciplinary purposes after a period of 12 months subject to the achievement and sustainment of satisfactory conduct and/or performance.

Step- 3 -Dismissal

Dismissal may be with or without notice depending upon the circumstances and may occur whether or not warnings have been issued.

If there is no satisfactory improvement in performance or further serious misconduct occurs or in the cases of gross misconduct, the subject of the disciplinary procedure will normally be dismissed from the office they hold. The decision to dismiss will be taken by a panel of three members of the PCC, appointed by the PCC. The panel will receive in advance all the documentation relating to the disciplinary concern under consideration. The documentation will also be made available in advance to the subject of the disciplinary procedure. The employee/volunteer will be given written details of the time and venue of the hearing and advised of their right to be accompanied at the meeting.

At the hearing the panel will hear evidence from the Rector and the employee/volunteer. Witnesses may be called by both parties. The panel will then make a decision regarding the dismissal or otherwise of the employee/volunteer.

The employee/volunteer should be informed as soon as possible of the decision of the panel. If the concerns are confirmed by the panel and a decision has been made to dismiss the employee/volunteer they should be informed of the date on which their employment contact will end and of their right to appeal.

Gross misconduct

If after investigation it is confirmed that an employee/volunteer of Tenpenny Villages PCCs has committed an act of gross misconduct the employee/volunteer will normally be dismissed without notice or payment in lieu of notice. The following are examples of behaviour that would be considered to constitute gross misconduct (i.e. dismissal without notice and previous warnings). This list is for guidance only and is not exhaustive.

- Theft or unauthorised possession of any property or facilities belonging to the Tenpenny Villages churches
- Gross insubordination
- Gross negligence
- Serious damage deliberately sustained to the property of Tenpenny Villages
- Serious misconduct associated with alcohol abuse or the use of drugs
- Physical violence or bullying
- Serious failure to comply with the Health and Safety, Code of Conduct and Social Media Policies of Tenpenny Villages
- Child abuse
- Failure to act in accordance with Tenpenny Villages Child Protection Policy
- **If the misconduct relates to or includes an allegation that a child or vulnerable adult has been harmed or is at risk of harm it must be responded to through the Diocesan Safeguarding Policy.**

When alleged gross misconduct is being investigated the employee/volunteer may be suspended on their normal rate of pay. In such cases the Rector will write to the employee/volunteer within three days, stating the reason for the suspension. Any decision to dismiss will be taken by the PCC only after full investigation.

Appeals

An employee/volunteer who wishes to appeal against any disciplinary decision must do so in writing to the Rector within 5 working days of the decision being conveyed to them.

The appeal will be heard by a panel of three members of the PCC who have not been involved in earlier stages of the disciplinary procedure. The panel should include the vice chairman of the PCC or a churchwarden. The panel will receive all the documentation from previous stages of the disciplinary procedure. This documentation will be made available in advance to the appeal hearing and the Rector. The panel will hear evidence from the Rector and the employee/volunteer, witnesses may be called by both parties.

The panel will make a decision regarding the appeal of the employee/volunteer who should be informed in writing of the results of the appeal as soon as possible after the appeal hearing.

The decision of this appeal hearing will be final

References

www.acas.org.uk – Code of Practice on Disciplinary and Grievance Procedures.

Policy reviewed and agreed: May 2023