

**Disciplinary Policy**

***(to be read alongside ACAS Disciplinary and Grievance Procedure)***

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# 1. Principles

The procedure is designed to establish the facts quickly and deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated. At every stage, employees will have the opportunity to state their case and be accompanied if they wish at the hearings by a friend acting in a non-professional capacity.

# 2. Procedure

**Stage 1: first warning**

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

**Stage 2: final written warning**

If the offence is serious, or there is no improvement in standards, 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 six (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 will face dismissal.

If an employee faces dismissal, or action short of dismissal such as loss of pay, the minimum statutory procedure will be followed. This involves:

* step 1: a written note to the employee setting out allegations and the basis for it;
* step 2: a meeting to consider and discuss the allegation; and
* step 3: a right of appeal including an appeal meeting

# 3. Gross misconduct

If after investigation it is confirmed that an employee has committee an offence of the following nature (the list is not intended to be exhaustive) the normal consequence will be dismissal without notice or payment in lieu of notice:

* Theft;
* Damage to property;
* Fraud;
* Incapacity for work due to being under the influence of alcohol or illegal drugs;
* Physical violence;
* Bullying; or
* Gross insubordination.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will receive their normal pay. Any decision to dismiss will be taken by the employer only after full investigation.

# 4. Appeals

An employee who wishes to appeal against any disciplinary decision must do so to the named person in the organisation within five (5) working days. The employer will hear the appeal and decide the case as impartially as possible.