

DIOCESE OF ARUNDEL & BRIGHTON

DISCIPLINARY PROCEDURE

1. Purpose and Scope

This procedure is designed to help and encourage all employees to achieve and maintain high standards of conduct, attendance and job performance. This procedure applies to all employees. The aim is to ensure consistent and fair treatment for all in accordance with current employment legislation.

2. Principles

- 2-1 The procedure is designed to establish facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken against an employee until the matter has been fully investigated.
- 2-2 At every stage in the procedure the employee will be advised in writing of the nature of the complaint against him/her and s/he will be given the opportunity to state his/her case at a face-to face meeting before any decision is made.
- 2-3 At all stages the employee will have the right to be accompanied by a union representative or work colleague during the disciplinary interview.
- 2-4 No employee will be dismissed for a first shortcoming in performance, attendance or conduct except in the case of gross misconduct when the penalty will be dismissal without notice or payment in lieu of notice.
- 2-5 An employee will have the right to appeal against any disciplinary action taken.
- 2-6 The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

3. Procedure

Minor faults will be dealt with informally, and whenever possible the matter will be dealt with through counselling, but where the matter is more serious the following procedure will be used.

Stage 1 – Formal Verbal Warning

If, despite informal discussions, conduct, attendance or performance does not meet acceptable standards you will normally be given a formal VERBAL WARNING. You will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of your right of appeal. A brief note of the oral warning will be kept on your personnel file but it will be spent after six months, subject to satisfactory conduct and/or performance.

Stage 2 – Written Warning

If there is not improvement in standards or a further offence occurs, a WRITTEN WARNING will be given to you. 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 not satisfactory improvement and will advise of the right of appeal. A copy of this written warning will be kept by the Employer on your personnel file but it will be disregarded after twelve months subject to satisfactory conduct and performance.

DISCIPLINARY PROCEDURE - continued

Stage 3 – Final Written Warning

If there is still a failure to improve, and conduct, attendance 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 you. This will give details of the complaint, will warn that dismissal will result if there is no satisfactory improvement within a timescale and will advise of the right of appeal. A copy of this final written warning will be kept by the Employer on your personnel file but it will be spent after twelve months (in exceptional cases the period may be longer) subject to satisfactory conduct and performance.

Stage 4 – Dismissal

If conduct, attendance or performance is still unsatisfactory and you still fail to reach the prescribed standards, DISMISSAL will result. You will be provided, as soon as reasonably practicable, with written reasons for your dismissal, the date on which employment will terminate and confirmation of how you may appeal.

4. Gross Misconduct

The following list provides examples of offences which are normally regarded as gross misconduct. The list is not exhaustive.

- theft, fraud, deliberate falsification of records
- fighting, assault on another person
- sexual, racial, physical or verbal harassment of another person
- deliberate damage to the Employer's property
- serious incapability through alcohol or being under the influence of illegal drugs
- serious negligence which causes unacceptable loss, damage or injury
- serious act of insubordination or disclosure of confidential information
- activities prejudicial to the interests of the Roman Catholic Church
- unauthorised entry to computer records.

If you are accused of an act of gross misconduct, you may be suspended from work on full pay, normally for no more than ten working days, while the Employer investigates the alleged offence and any decision as to disciplinary action is taken. If, on completion of the investigation and the full disciplinary procedure, the Employer is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

5. Appeals

If you wish to appeal against any findings under these procedures at any stage, you must do so in writing to the Vicar General within five working days of confirmation of the action that is to be taken against you. You are required to state, in writing, the grounds on which the appeal is based.

In the case of an appeal against dismissal, you will be asked to attend an Appeals Hearing appointed by the Employer. You will have the right to be accompanied by a work colleague or union representative. The outcome of the appeal will be communicated in writing to you.

The Appeals Hearing will consider the case in whichever manner they think appropriate, given for example, matters such as circumstances concerning the case and the nature of the appeal. They will be required to ensure that their procedures are reasonable and consistent with natural justice and current employment legislation.

GRIEVANCE PROCEDURES

1. Introduction

It is the Diocese's policy to ensure that employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and as fairly as possible.

2. Informal Discussions

If you have a grievance about your employment you should discuss it informally with the parish priest. The majority of concerns will be resolved at this stage.

3. Stage 1

If you feel that the matter has not been resolved through informal discussions, you should put your grievance in writing to the parish priest. He must give a response within five working days in an endeavour to resolve the matter.

4. Stage 2

In cases where the parish priest is unable to resolve your grievance satisfactorily, or is himself the subject of your grievance, the matter should be referred to the Vicar General who will make a decision within ten working days and whose decision will be final. Before making his decision, the Vicar General may ask you to attend a meeting to discuss your grievance in which case you will be entitled to be accompanied by a union representative or work colleague during this interview.