All Saints Disciplinary Measure and Dismissal Policy

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. This procedure applies to all employees (except those working during a probationary period where special rules apply). The aim is to ensure consistent and fair treatment for all.

2. Principles

- **a.** We will consider informal action, where appropriate, to resolve problems.
- **b.** No disciplinary action will be taken against an employee until the case has been fully investigated.
- **c.** At every stage in the procedure, the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state your case at a disciplinary hearing before any decision is made.
- **d.** We will provide you, where appropriate, with written copies of evidence and relevant witness statements before a disciplinary hearing.
- **e.** At all stages, the employee will have the right to be accompanied by a trade union representative, or work colleague, during the disciplinary interviews.
- **f.** No employee will be dismissed for a 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.
- **g.** An employee will have the right to appeal against any disciplinary penalty imposed.
- **h.** The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

3. The Procedure

STAGE 1 – FIRST WARNING

ORAL WARNING

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

WRITTEN WARNING

If the misconduct or overall performance is more serious, the employee will receive a first formal written warning from the Rector. This will give details of the complaint, the improvement or change in the behaviour required, the timescale allowed for this, and the right of appeal. A copy of this written warning will be kept by the Rector but will be disregarded for disciplinary purposed after 12 months subject to satisfactory conduct and performance.

STAGE 2 – FINAL WRITTEN WARNING

If the offence is serious, or there is failure to improve during the currency of a prior warning, a final written warning may be given to the employee. This will contain details of the complaint, the improvement required, and the timescale. It will also warn that failure to improve may lead to action under STAGE 3 (dismissal, or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the Rector but will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct and performance.

STAGE 3 – DISMISSAL OR OTHER SANCTION

If there is still a failure to improve, the final step in the procedure may be dismissal, or some other action short of dismissal, such as demotion or disciplinary suspension, or transfer (as allowed in the contract of employment). Dismissal decisions can only be taken by the Rector and Churchwardens, and the employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which the employment will terminate, and the right of appeal. The decision to dismiss will be confirmed in writing. If some sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of this written warning will be kept by the Rector and will be disregarded for disciplinary purposes after 18 months, and subject to satisfactory conduct and performance.

4. Gross Misconduct

This list provides examples of offences which are normally regarded as gross misconduct.

- Theft, fraud, deliberate falsification of records
- Fighting, assault on another person
- Deliberate damage to Church property
- Serious incapacity through alcohol or being under the influence of illegal drugs
- Serious acts of insubordination
- Gross sexual harassment
- Gross racial harassment
- Unauthorised entry to computer records, or other serious breaches of the Church IT code, say be downloading offensive material into a church computer, where PCC would determine by vote what constitutes a serious breach.
- Failure to act in accordance with All Saints Policy on Child Protection, whether this has happened on church property or at a church event.

If an employee is accused of an act of gross misconduct, he or she may be suspended from work on full pay while the alleged offence is investigated.

The investigation will be carried out by at least 2 members of the PCC as appropriate. The PCC members will not have had any prior involvement in the case. Their

role will be to gather evidence, interview relevant parties, and produce a written report of findings for consideration by the Rector and Churchwardens. **The Disciplinary Panel to consist of three members: the Rector and the two Churchwardens ("Churchwarden" could include the Deputy Churchwarden if necessary).** These members will take no part in any subsequent disciplinary decision or appeal relating to the case, to ensure impartiality.

The suspension and investigation must be reasonable, confidential, and as short as possible. If the investigation extends beyond one working week, the investigators must notify the suspended employee and the PCC Secretary in writing. The PCC will review the suspension weekly, and the investigators will provide the employee with regular weekly progress updates.

If, on completion of the investigation and the full disciplinary procedure, the Rector and Churchwardens are satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

The employee has the right to be accompanied at any investigatory or disciplinary meetings by a trade union representative or work colleague

5. Appeals

An employee who wishes to appeal against a disciplinary action should inform the Churchwardens, or in their absence the Secretary to the Church Council, or the Sequestrators of the Parish, within 5 working days. **The Appeal Panel to consist of three members drawn from the PCC and, where appropriate, from the Deanery. The Appeal Panel members will not have had any prior involvement with the case.**, and their decision is final. The Appeal Panel may ask a senior representative of the Diocese, such as the Area Dean or the Archdeacon of Buckingham, or someone nominated by them, to participate in any appeal. At the appeal, the disciplinary penalty imposed will be reviewed, but it cannot be increased.

Both the Disciplinary and Appeal Panels may take appropriate human resource and legal advice.

Approved by the PCC.

Date: 19 November 2025