

St George, Bickley

Disciplinary and Grievance Procedures

Adopted February 2017

All employees must have a written statement of terms and conditions of employment which must contain disciplinary rules and procedures or refer the employee to some other easily accessible document containing those rules and procedures.

Many disciplinary issues can be resolved informally with a quiet word. However, where informal resolution is not possible, then a disciplinary procedure will set out the appropriate way to deal with the issue.

Most disciplinary procedures allow for verbal, written and final warnings before dismissal is considered. However, it may also specify that certain conduct is so serious that it will be considered as gross misconduct and will justify summary dismissal (without warnings or notice).

No disciplinary action should be taken until you have fully investigated the matter and the employee has had an opportunity to give his or her side of the story. It is therefore good practice to hold an initial investigation meeting with the employee in order to establish the facts. The employee who is disciplined should always be given the right to appeal against any disciplinary warning issued or dismissal.

The ACAS code of practice says that a good disciplinary procedure should;

- be in writing
- specify to whom they apply
- be non-discriminatory
- provide for matters to be dealt with without undue delay
- provide for proceedings, witness statements and records to be kept confidential
- indicate the disciplinary actions that may be taken
- specify the levels of management which have the authority to take the various forms of disciplinary action
- provide for workers to be informed of the complaints against them and, where possible, to see all relevant evidence before any hearing
- provide workers with an opportunity to state their case before decisions are reached
- provide workers with the right to be accompanied
- ensure that, except for gross misconduct, no worker is dismissed for a first breach of discipline

- ensure that disciplinary action is not taken until the case has been carefully investigated
- ensure that workers are given an explanation for any penalty imposed
- provide a right of appeal – normally to a more senior manager – and specify the procedure to be followed.

Grievance

Grievances are problems or complaints an employee has with their employer. Usually these can be dealt with in an informal way, however having a grievance procedure sets out a fair and consistent way of handling grievances should an informal conversation not reach the desired outcome.

Where possible the grievance should be handled by the employee's line manager, however if this is not practical or possible, there should be an alternative senior member of staff appointed to handle the grievance.

The employee should have the opportunity to have their say and the manager handling the grievance should fully investigate the matter before reaching a decision. Should the employee still be unhappy with the decision they have the right to appeal. Where possible, appeals should be made to a more senior manager.

All notes, letters and other documents should be retained on the employees file for future reference.

GRIEVANCE PROCEDURE

INTRODUCTION

Objective of the Grievance Procedure

The objective of the Grievance Procedure is:

1. To provide a framework that will enable a fair and consistent resolution of grievances raised by staff
2. To resolve issues at the earliest stage and as speedily as possible whilst having regard for the needs of the operation of the PCC/church.

Status of the procedure

Whilst the Parochial Church Council of St George, Bickley (the PCC) will fulfil its legal obligations, this procedure does not form part of individual contracts of employment. The PCC reserves the right to change it or amend timescales as appropriate.

Scope

This procedure applies to all staff employed by the PCC. It does not apply to issues arising from action under the Disciplinary Procedure. It should be handled within the framework of the appeals procedures, which forms the last sections of the Disciplinary Procedure.

General principles of operation of the procedure

1. **Opportunity to state case:** At each stage of the procedure the individual will be given the opportunity of stating the case relating to their grievance. Management will consider the points raised and will respond.
2. **Adjournment of hearings:** It may be necessary for the grievance hearing to be adjourned in order to enable management to fully consider the issues prior to making a decision.
3. **The right to be accompanied:** Staff members have the right to be accompanied at any stage of this procedure by a friend and will be informed of that right before every meeting.
4. **Time limits:** Whilst every effort will be made by the PCC to resolve issues raised within the time limits indicated in the procedure, this may not be possible on some occasions. In these circumstances, an extension of time may be arranged.

Step to be taken before using the procedure

Where a member of staff has a grievance relating to any aspects of their employment with the PCC they should raise the matter informally in the first instance with their line manager. The aim should be to resolve issues without resort to the formal procedure. However, if it is not possible to do so, the staff member may use the Grievance Procedure set out below.

THE PROCEDURE

Stage 1

Manager with whom the issue should be raised

The staff member will raise the issue with their line manager, setting out in writing the grounds of their grievance.

Management's response

The line manager must have reasonable time to consider their response to the grievance before the meeting takes place.

The meeting to discuss the grievance

The line manager will arrange for a meeting to take place as soon as possible, but within 5 days of receipt of the written statement. If the matter cannot be resolved at the meeting, the line manager will notify the staff member within 5 days of the meeting.

Staff member's responsibility

The staff member should take all reasonable steps to attend the meeting.

What happens if agreement is reached

If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

What happens if the matter is not resolved

If the matter is not resolved, the staff member may refer it to the next stage of the procedure. The line manager will advise the staff member of this procedure.

Stage 2

Member of management with whom the issue should be raised

The staff member will refer the grievance in writing to the **other incumbent** within 5 working days, explaining the grounds of the grievance and why it has not been possible to resolve the issue at Stage 1 of the procedure.

The **other incumbent**, whether he be the Vicar of St George, Bickley or the Vicar of The Annunciation, Chislehurst, will at this stage notify the PCC Secretary of St George, Bickley, who will convene the Council's *Grievance and Disciplinary Committee*, to whom the **other incumbent** will report, and copy further correspondence.

Management's response

The *Grievance and Disciplinary Committee* must have reasonable time to consider its response to the grievance before a meeting with the staff member takes place.

The meeting to discuss the grievance

The **other incumbent** will arrange for a meeting to take place as soon as possible, but within 5 working days of receipt of the written statement, which he will attend together with members of the *Grievance and Disciplinary Committee*. If the matter cannot be resolved at the meeting, the PCC Secretary will respond within 5 working days of the meeting. The decision will be confirmed in writing

What happens if agreement is reached

If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

What happens if the matter is not resolved

If the matter is not resolved, the staff member may refer it to the next stage of the procedure. The PCC Secretary will advise the staff member of this right.

Stage 3 – Appeal against the decision

Member of management with whom the issue should be raised

The staff member will refer the grievance in writing to the **Diocesan Children and Youth Work Advisor** within 5 working days, explaining the grounds of their appeal and why it has not been possible for it to be resolved at the earlier stages of the procedure.

Management's response

The **Diocesan Children and Youth Work Advisor** must have reasonable time to consider their response to the appeal before the meeting takes place. They will advise the **Vice Chairman of Bickley PCC**, who will convene a newly-constituted *Grievance and Disciplinary Committee*.

The meeting to discuss the grievance

The **Diocesan Children and Youth Work Advisor** will arrange for a meeting to take place as soon as possible, but within 10 working days of receipt of the written statement, which they will attend together with members of the newly-constituted *Grievance and Disciplinary Committee*. If the matter cannot be resolved at this meeting, the **Vice Chairman of Bickley PCC** will respond within 5 working days of the meeting. The decision will be confirmed in writing.

Staff member's responsibility

The staff member should take all reasonable steps to attend the meeting. If agreement is reached, the basis of that agreement will be recorded in writing, given to both parties, and a copy will be placed on the staff member's personnel file.

What happens if the matter is not resolved

The decision of the (newly-constituted) *Grievance and Disciplinary Committee* will be final. The decision will be set out in writing. Stage 3 is the **final** stage of the Grievance Procedure.