

Date Amendments agreed by Trustees: August 2015

Date of next Review: August 2016

CHRISTIAN FAMILY CONCERN

DISCIPLINARY PROCEDURE

1. INTRODUCTION

Christian Family Concern is required by law to have a Disciplinary Procedure that applies to all employees whether full time, part time or temporary.

All employees have a job description which sets down the requirements of the work they are employed to fulfil. Each employee has a line manager whose role is to support, guide and evaluate their performance against the details of their job description, giving feedback to clarify performance expectations and standards.

All staff receive a copy of the Disciplinary Procedure at the same time as their employment contract.

2. PURPOSE AND SCOPE

The procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. The aim is to ensure consistent and fair treatment for all.

3. PRINCIPLES

- a) No disciplinary action will be taken against an employee until the case has been investigated to establish the facts.
- b) 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 his or her case before any decision is made.
- c) At all stages the employee will have the right to be accompanied by a work colleague during the disciplinary interview.
- d) At the end of each stage the employee will receive a written response regarding the outcome, together with expectations for the way forward. This may include a support and monitoring plan within a stated timeframe.
- e) An employee will not normally be dismissed for a first breach of discipline except in the case of gross misconduct or gross neglect, when the penalty will be dismissal without notice or payment in lieu of notice.

- f) An employee will have the right to appeal against any disciplinary penalty imposed. The appeals letter must give the reasons for appealing. If it arrives 'out of time', it will be actioned only on exceptional grounds. On appeal, the decision will be reviewed but the disciplinary penalty cannot be increased.
- g) The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action. However, a problem addressed at an early stage is often more easily resolved.

4. **PROCESS**

The process of dealing with disciplinary matters is divided into different stages involving different managers at progressively more senior levels of the charity in order to build in fairness and impartiality. In the event of a manager being on leave, either their deputy will manage the stage or the matter will proceed to the next higher stage.

Minor faults will be dealt with informally but where the matter is more serious the following procedure will be followed:

STAGE 1 – Oral Warning by Line Manager

If conduct or performance does not meet acceptable standards the employee will normally be given a formal **ORAL WARNING**. He or she will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of his or her right of appeal. A brief note of the oral warning will be kept on the staff file but it will be spent after 6 months, subject to satisfactory conduct and performance.

The employee may appeal in writing to the Line Manager asking for the matter to be reconsidered and stating their reasons for requesting this. The Manager will review the position and write the employee a brief note of the outcome.

STAGE 2 – Written Warning by Line Manager

If the offence is a serious one, or if a further offence occurs, a **WRITTEN WARNING** will be given to the employee by the Line Manager. This will give details of the complaint and the improvement required, together with a support and monitoring plan. It will warn that action under stage 3 will be considered if there is no satisfactory improvement within a given timescale, and will advise of the right of appeal to the Operations Manager within 5 working days.

If a Unit Manager or the Operations Manager is the subject of the disciplinary process, and issues are not resolved at stage 2, exceptionally any appeal or further disciplinary action will proceed to stage 4 through the Chair of Trustees.

A copy of this written warning will be kept on the staff file but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct and performance.

STAGE 3 – Final Written warning or disciplinary suspension by the Operations Manager

If there is still a failure to improve and conduct 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 the employee. This will give details of the complaint, the improvement required together with a support and monitoring plan. It will warn that action under stage 4 will be considered if there is no satisfactory improvement within a given timescale and that Stage 4 could result in dismissal or demotion. It will also advise of the right of appeal to the Chair of Trustees within 5 working days. A copy of this final written warning will be kept on the staff file but it will be spent after 24 months (in exceptional cases the period may be longer) subject to satisfactory conduct and performance.

Alternatively, consideration will be given to imposing a penalty of a disciplinary suspension without pay for up to a maximum of 5 working days.

STAGE 4 – Dismissal or Demotion by a Trustee Panel

If conduct or performance is still unsatisfactory and the employee still fails to reach the prescribed standards, DISMISSAL or DEMOTION will normally result. Only a Trustees Panel can take the decision to dismiss. The employee will be provided, as soon as reasonably practicable, with the Panel's decision with written reasons and acknowledgement of the employee's right to appeal to ACAS. If the decision is dismissal, the date on which employment will terminate and other arrangements will be included. If the decision is demotion, details will be given.

5. GROSS MISCONDUCT

The following 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 company property
- Serious incapability through alcohol or being under the influence of illegal drugs
- Serious negligence which causes unacceptable loss, damage or injury to the charity's performance
- Serious act of insubordination
- Misconduct involving an adult or a child

If it is alleged that an employee has committed an act of gross misconduct, this may result in suspension from work on full pay, normally for no more than 5 working days, while CFC investigates the alleged offence. If, on completion of the investigation and the full disciplinary procedure, CFC is satisfied that gross misconduct has occurred, the result will normally be dismissal.