

THE PARISH ⊕ ST LEONARD HYTHE

Disciplinary Policy

The Parochial Church Council (PCC) of St Leonard, Hythe

'We aim to be an ever-more welcoming, inclusive, and caring Christian community that reaches out to all, thankful to God who draws us together and gives us life in all its fullness.'

1. Purpose

The PCC of St Leonard's Church, Hythe (the PCC); is committed to maintaining high standards of conduct, attendance, performance, integrity and safeguarding. This disciplinary procedure is designed to help employees achieve and maintain those standards while ensuring that any concerns are addressed fairly, consistently and sensitively. This policy applies to all of the PCC's employees.

The PCC recognises that disciplinary matters can be stressful. Employees will be treated with dignity and respect throughout the process and appropriate support will be offered where needed.

2. General Principles

In all disciplinary matters, St Leonard's Church will:

- Act fairly, reasonably and consistently.
- Seek informal resolution where appropriate.
- Carry out a full investigation before any formal disciplinary action is taken.
- Inform the employee of the concerns raised and provide an opportunity to respond.
- Provide relevant evidence before any formal disciplinary hearing where appropriate.
- Allow employees to be accompanied at formal disciplinary meetings.
- Provide a right of appeal against any formal disciplinary sanction.
- Ensure that safeguarding obligations are given priority where relevant.

No employee will normally be dismissed for a first offence unless the matter constitutes gross misconduct.

3. Informal Resolution

Where appropriate, concerns about conduct, attendance or performance will first be addressed informally through discussion with the employee's line manager.

Informal action may include:

- Guidance and support.
- Agreed improvement objectives.
- Additional training.
- Informal counselling regarding expected standards.

The aim of informal action is to encourage improvement without entering the formal disciplinary process.

4. Right to be Accompanied

Employees have the right to be accompanied at any formal disciplinary hearing or appeal hearing by a companion who is either:

- A fellow employee;
- A trade union representative; or
- A certified trade union official.

Employees should notify the PCC as soon as possible if they intend to bring a companion.

Reasonable adjustments will be made where required for employees with disabilities or other specific needs.

5. Investigation

Before any disciplinary hearing is convened, an Investigating Officer will be appointed by the Vicar. The Investigating Officer may be the employee's line manager or one of the Churchwardens who will investigate to establish the facts.

The investigation may include:

- Interviews with relevant individuals;
- Examination of documents, records or correspondence;
- Where relevant, consideration of safeguarding information in conjunction with the PCC Safeguarding Officer.

The employee will be informed of the nature of the concerns and may be invited to provide information during the investigation.

6. Disciplinary Hearing

Following the completion of the investigation, and where there it is believed there is a case to answer, the employee will be invited to attend a formal disciplinary hearing before any disciplinary decision is made.

6.1 Notice of Hearing

The employee will receive written notice of the disciplinary hearing at least 7 days in advance.

The invitation will include:

- The date, time and location of the hearing.
- Details of the allegations or concerns being considered.
- Copies of the investigation report and any evidence to be relied upon.
- Copies of any witness statements, where appropriate.
- The possible outcomes of the hearing.
- Confirmation of the employee's right to be accompanied.
- Details of who will chair the hearing and who will present the management case.

6.2 Composition of the Hearing

The disciplinary hearing will normally comprise:

- A Chair (normally the Vicar or a PCC appointed representative),
- A Churchwarden and another PCC appointed representative.
 - None of the above will have taken part in the investigation.
- An Investigating Officer who will present the findings of the investigation.
- The PCC Secretary for the purposes of note-taking.
- The employee.
- The employee's chosen companion (See **4. Right to be Accompanied**).

6.3 Conduct of the Hearing

The purpose of the hearing is to establish the facts, consider all relevant evidence and allow the employee a reasonable opportunity to respond to the allegations.

The hearing will normally proceed as follows:

1. The Chair explains the purpose of the hearing and introduces those present.
2. The Investigating Officer presents the findings of the investigation.
3. The employee and/or their companion may ask questions of the Investigating Officer.
4. Witnesses may be called where appropriate and questioned by all parties through the Chair.
5. The employee will have the opportunity to present their response and any supporting evidence.
6. The Chair may ask questions of any party.
7. Both parties will have the opportunity to summarise their position before the hearing concludes.

The Chair may adjourn the hearing at any time if further investigation or consideration is required.

6.4 Record of the Hearing

A written record or audio recording of the hearing will be made.

The record will include:

- The evidence considered.
- Any witness evidence heard.
- The employee's representations.
- The findings reached.
- The reasons for the decision.
- Any disciplinary sanction imposed.

The record will be retained in accordance with the PCC's Privacy Notice and document retention requirements.

6.5 Outcome

Following consideration of all the evidence, the Chair and PCC representatives will determine the appropriate outcome.

The employee will be informed of the decision in writing as soon as reasonably practicable. The outcome letter will include:

- The findings reached.
- The reasons for those findings.
- Any disciplinary sanction imposed.
- Any improvement required.
- Relevant review periods.
- The consequences of further misconduct.
- The right of appeal and how to exercise that right.

7. Formal Disciplinary Procedure

Stage 1: First Written Warning

Where misconduct is substantiated but is not sufficiently serious to warrant a higher sanction, a First Written Warning will be issued.

The warning will:

- Describe the misconduct.
- Specify the required improvement.
- Set a review period where appropriate.
- Explain the consequences of further misconduct.
- Explain the right of appeal.

A First Written Warning will remain active for **12 months**.

For performance-related concerns, an improvement plan may accompany the warning.

Stage 2: Final Written Warning

A Final Written Warning may be issued where:

- The misconduct is serious; or
- Further misconduct occurs while a First Written Warning remains active; or
- Required improvements have not been achieved.

The warning will set out:

- The nature of the concerns.
- The improvements required.
- The review period.
- A statement that failure to improve may result in dismissal.

A Final Written Warning will normally remain active for **24 months**.

Stage 3: Dismissal or Other Sanction

If conduct or performance fails to improve following a Final Written Warning, or where the seriousness of the matter warrants it, the PCC may impose:

- Dismissal with notice;
- Demotion (where contractually permitted);
- Transfer to another role (where appropriate);
- Other reasonable disciplinary sanctions.

Dismissal decisions will need to be agreed by the Vicar, Churchwardens, and the PCC's Complaints and Grievances Committee.

Written confirmation will be provided, including reasons for the decision and details of the right of appeal.

7. Gross Misconduct

Gross misconduct is conduct so serious that it fundamentally breaches the relationship of trust and confidence between the employee and the Church.

Examples may include:

- Theft, fraud or deliberate falsification of records;
- Physical violence or threatening behaviour;
- Bullying, harassment or victimisation;
- Serious breach of safeguarding policies or procedures;
- Serious breach of confidentiality;
- Serious acts of discrimination;

- Serious insubordination;
- Deliberate damage to church property;
- Serious misuse of Church funds or resources;
- Serious health and safety violations;
- Criminal conduct affecting employment or the reputation of the Church;
- Actions that bring St Leonard's Church or the Church of England into serious disrepute.

This list is not exhaustive.

Where gross misconduct is established, dismissal without notice may result.

8. Suspension

In certain circumstances, it may be necessary to suspend an employee during an investigation.

Suspension:

- Is not a disciplinary sanction;
- Will normally be on full pay;
- Will be reviewed regularly;
- Will only be used when necessary to protect individuals, evidence, church operations, or safeguarding processes.

The PCC recognises that suspension can be stressful and will provide appropriate support during any period of suspension.

9. Safeguarding Concerns

Where allegations relate to safeguarding, the Church's Safeguarding Policy and procedures will be followed alongside this disciplinary policy.

Safeguarding matters may require:

- Immediate risk assessment;
- Referral to statutory authorities;
- Consultation with the Diocesan Safeguarding Adviser;
- Temporary suspension from duties.

Nothing in this policy overrides the Church's safeguarding responsibilities.

10. Appeals

Employees have the right to appeal against any formal disciplinary sanction, including a First Written Warning, Final Written Warning, dismissal, or other disciplinary action. This policy is based on the principle that disciplinary decisions should be capable of independent review.

10.1 Lodging an Appeal

An employee wishing to appeal must:

- Submit the appeal in writing within **10 days** of receiving written notification of the disciplinary decision to the PCC Secretary.
- Clearly state the grounds of appeal.
- Provide any supporting evidence not previously available.

Grounds for appeal may include:

- New evidence becoming available.
- Procedural irregularities.
- The disciplinary sanction being considered disproportionate.
- The findings not being supported by the evidence presented.

I0.2 Appeal Hearing

The constitution of the Appeal Hearing:

1. The PCC shall appoint an Appeals Committee consisting of not fewer than three members. Where reasonably practicable, the Committee shall include PCC members who have had no prior involvement in the disciplinary matter.
2. The Appeals Committee shall appoint one of its members to act as Chair of the Appeal Hearing.
3. The Appeal Hearing shall be quorate when at least three members are present.
4. Decisions of the Appeals Committee shall normally be reached by majority vote. In the event of an equal division of votes, the Chair shall have a casting vote.

Upon receipt of an appeal:

1. The PCC Secretary will write to you or send you an email to confirm receipt of your appeal within **14 days** of its receipt and arrange for it to be considered by the PCC's Appeals Committee. An appeal hearing will be arranged without unreasonable delay.
2. The employee will be given at least **7 days** notice of the Appeal Hearing and provided with any relevant documents in advance.
3. The employee has the right to be accompanied by a fellow employee, trade union representative, or certified trade union official.

I0.3 Conduct of the Appeal Hearing

The Appeal Hearing is not normally a complete rehearing of the disciplinary case. Its purpose is to review the grounds of appeal and determine whether the original decision was fair and reasonable.

The Appeal Committee may:

- Review all evidence considered at the original hearing.
- Consider any new evidence presented.
- Hear from relevant witnesses where appropriate.
- Question the parties involved in the disciplinary process.

A written or audio record of the Appeal Hearing shall be kept and retained in accordance with the PCC's Privacy Notice and document retention requirements.

I0.4 Appeal Outcomes

Following the appeal hearing, the Appeal Committee may:

- Uphold the original decision.
- Reduce the disciplinary sanction.
- Remove the disciplinary sanction.
- Refer the matter back for further investigation or a rehearing.

The employee will normally receive written confirmation of the appeal outcome within **10 days** of the Appeal Hearing.

I0.5 Final Decision

The decision reached at the appeal stage is final and concludes the PCC's internal disciplinary procedure.

For appeals against dismissal, the dismissal will remain in effect during the appeal process unless otherwise stated. If an appeal against dismissal is upheld, continuity of service and pay will be restored as appropriate.

Signed: Michael Darhins

Date: 15/09/2026