

Written Statement of Terms and Conditions of employment



WRITTEN STATEMENT OF TERMS AND CONDITIONS OF EMPLOYMENT

1. Parties to the Contract of Employment:

EMPLOYER: Hockley & Hawkwell Methodist Church

EMPLOYEE: _____

Date from which these details are current: _____

2. Date of commencement of employment in this post: _____

The contract is for a fixed term of 2 years, because finance is currently only available for two years, **and will either end on**_____. **It may be terminated at any time before its expiry by either party in accordance with your entitlements as set out in section 16 of this statement ‘Ending the Employment’.**

3. Post title: Part time Administrative Assistant

Place of work: Hockley & Hawkwell Methodist Church, Main Road, Hockley, Essex SS5 4QY (Although some work may be carried out at the employee’s home address with permission of the employer). In this employment your duties may require you to work at various locations. When considered necessary or appropriate by your Employer your job description may from time to time be amended and in addition to the duties set out in it you may be required to undertake such other reasonable duties within your skill and competence and consistent with your post title.

The Supervisor referred to in this Statement means the Church Minister or any other post holder as may from time to time be notified to you by or on behalf of the Employer.

4. Probationary Period:

Confirmation of your appointment is subject to the satisfactory completion of a period of probationary service normally three months. During your probationary service you will be expected to establish your suitability for the post. This period of probationary service may be extended if your Supervisor feels that for any reason you have not achieved a satisfactory level, but have the potential to do so.

5. Remuneration:

Your rate of pay is £9.00 per hour.

You are paid in **arrears** at monthly intervals by bank transfer.

If you have any queries about your salary these should be raised in the first instance with your Supervisor.

6. Hours of Work:

Your normal hours of work are 4 hours per week to be agreed with the Supervisor.

If you are required and willing to work hours in excess of your normal working week, you will be entitled to take time off in lieu on an equal time basis, as agreed with your Supervisor.

7. Working Time Regulations:

It is not intended that you will normally work more than forty-eight hours in any one week. You should collaborate with your employer in this regard to ensure that these hours are not exceeded.

8. Annual Leave Entitlement:

- (a) The holiday year is from 1st January to the following 31st December each year.
- (b) Your holiday entitlement is 28 days (including Public Holidays).
- (c) Part-time employees' leave entitlement is pro-rata to the full-time entitlement.
- (d) Your holiday entitlement is to be taken in the holiday year in which it has accrued, unless it has been deferred by agreement with your Supervisor.
- (e) Your holidays must be agreed with your Supervisor as early as possible and at least one month in advance.
- (f) On termination of employment you may be required to take annual leave during the period of notice. You will be paid for any holiday that has accrued but which it has not been possible to take prior to the effective date of termination. You will be required to refund any salary paid in respect of holiday taken in excess of that which has accrued by the effective date of termination.

9. Compassionate Leave:

If you suffer bereavement of a close relative you may be granted compassionate leave. You should discuss the circumstances with your Supervisor in the first instance. Your Supervisor may similarly grant compassionate leave in other appropriate cases.

10. Maternity, Paternity, Adoption and Parental Rights:

Statutory provisions apply.

11. Sickness absence:

If you are unable to attend work owing to sickness or injury, you must comply with the following procedures. Payment of sick pay and/or statutory sick pay will be made only where such procedures have been followed:

- On your first day of absence, you must contact your Supervisor as soon as possible (preferably at the start of your normal working day) to notify him/her of your absence, the reason for the absence and if possible to indicate when you hope to return to work.
- If your sickness absence is for seven days or less, on the first day of your return to work, you must obtain, complete and sign a self-certification form and forward it to your Supervisor. Self-certification form may be obtained from your Supervisor.
- On the first day of your return to work you should report to your Supervisor, or, if your Supervisor is unavailable, the most senior member of staff present, and explain in full the reason for your absence. If you have not already completed a self-certification form for the first seven days of absence, you will then be required to complete a self-certification form.
- If sickness absence continues for eight days or longer, you must obtain a medical certificate from your doctor for the remainder of the absence and forward this to your Supervisor immediately. Further certificates must be submitted to cover each week for as long as the illness lasts.
- In cases of repeated absences for whatever reason, your Employer reserves the right to request medical evidence for periods of absence of less than seven days.
- If, on the medical certificate or "fit note", your doctor recommends any adjustments to your duties, hours or working conditions to facilitate your return to work, you are required to cooperate with the employer with regard to the possible implementation of such changes, notwithstanding the fact that the advice on a fit note is not binding on the employer

Your Employer also reserves the right, when considered appropriate, to require you to attend a medical examination by a medical practitioner of your Employer's choice.

Statutory Sick Pay

If you are absent from work by reason of sickness or injury for four or more consecutive days, you may be paid Statutory Sick Pay (S.S.P) by your Employer in accordance with the statutory provisions. S.S.P. will be treated like wages, being subject to deductions for PAYE, Income Tax, and National Insurance contributions. Qualifying days are the only days for which you can claim S.S.P. These will be days on which you would normally be required to be available for work (i.e. Monday to Friday). The first three qualifying days of sickness are waiting days for which S. S. P. is not payable. Qualifying days only include days on which you would normally work. It is a condition of payment of S.S.P. that you comply with the notification and certification procedure set out above

Occupational Sick Pay

A Lay Employee who is absent from work by reason of ill health will be entitled to receive up to occupational sick pay, less any statutory sick pay entitlement, for the

following periods. The period should be considered in terms of a rolling year. Extensions of sick pay are made at the employer's discretion.

- | | | |
|------|-----------------------------|---------------------------------------|
| i. | After 6 months up to 1 year | 1 month full pay |
| ii. | 1 year to 2 years service | 2 months full pay + 2 months half pay |
| iii. | 2 years to 10 years service | 4 months full pay + 4 months half pay |
| iv. | After 10 years service | 6 months full pay + 6 months half pay |
- Staff who work part-time will receive sick pay on a pro-rata basis.

12. Medical Treatment: Appointments for visiting the doctor, dentist etc, should, wherever possible, be made outside of working hours.

13. Ending the employment:

Where the contract of employment is terminated by your employer you are entitled to receive the following notice:-

- (a) One week after one month's continuous employment.
- (b) Thereafter one week's notice for every completed year of service up to a maximum of twelve weeks.

If you wish to terminate your employment, you are required to give one week's notice after one month's continuous employment.

Your employment may be terminated by your Employer without notice or payment in lieu of notice if you are guilty of gross default or misconduct or conduct which in the opinion of your Employer demonstrably brings you, your Employer or the Methodist Church into disrepute.

14. Confidentiality:

In the course of your employment you may have access to and be entrusted with information in respect of the administrative, business and financial affairs of the Church, and of the personal affairs of individuals, all of which information is or may be confidential. You will not (except in the proper course of your duties) during or after the period of your employment divulge to any person whatsoever or otherwise make use of any such confidential information.

15. Disciplinary Procedure:

The Disciplinary Procedure is set out in the Disciplinary Procedure document attached to this Written Statement.

16. Grievance Procedure:

If you have a grievance relating to your employment or the terms and conditions relating to that employment you should raise the matter initially with your Supervisor or the member of staff to whom you normally report in accordance with the Grievance Procedure, which is attached to this Written Statement

17. Health and Safety Procedure:

The Health and Safety policy is attached to this Written Statement.

18. Equality, Diversity and Inclusion Policy:

The policy in respect of Equality, Diversity and Inclusion in employment is attached to this Written Statement.

19. Changes in Terms and Conditions:

Your Employer may seek to vary the terms and conditions of your Employment. These will not be amended unreasonably or without consultation with you. Any changes in your terms and conditions of employment will be confirmed to you within one month of the change(s) taking effect, by personal written notification.

20. Statements of Policy:

You are required to comply with any statement of policy published to you by your Employer from time to time.

Signed on behalf of _____(Employer)

Designation _____(Job Title)

Signed by: Date:

I have received and read the Terms and Conditions of Employment and accept that these form part of any contract with the Organisation. I acknowledge receipt of the attached appendices:

- Disciplinary Procedure
- Grievance Procedure
- Health and Safety at Work Policy
- Equality, Diversity & Inclusion Policy

Signed by:.....Date:.....

(Name of Employee)

Last Date Modified: 26 July 2018

This policy applies to all lay employees who have successfully completed their probationary period. It does not apply to agency workers or self employed contractors.

This procedure does not form part of any staff members' contract and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

2. Policy Statement

As noted above, this policy takes into account ACAS advice and best practice. It is the policy of the Methodist Council to ensure that any disciplinary or performance matter is dealt with fairly and that steps are taken to establish the facts. Staff members will not be subjected to formal disciplinary action (including dismissal) without being provided with the following:

- a written statement of the allegations;
- a hearing before any decision is reached; and
- the right to an appeal hearing

3. General Principles

Minor conduct issues can often be resolved informally between the member of staff and the Line Manager. These discussions should be held in private and without undue delay whenever there is cause for concern. In these cases an informal verbal warning may be given. (Such a warning lies outside this formal procedure, but a record should be kept of matters such as the date that it was issued, the areas of concern and required improvements).

Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the concerns). Except in cases of gross misconduct a staff member will not normally be dismissed for a first act of misconduct. Staff will normally be given a warning and an opportunity to improve. Any steps under this procedure should be taken promptly unless there is a good reason for delay. Management may vary any time limits set out in this procedure if it is reasonable to do so and if this is the case the member of staff's agreement will normally be sought.

Should this agreement be withheld it may be necessary to proceed without this, where Management considers that there is a justified reason to do so. It is often good practice to appoint a person to investigate any disciplinary concerns impartially (the 'Investigating Officer'), and designate a person to manage the disciplinary process (the 'case manager').

If a member of staff has difficulty at any stage of the procedure because of a disability, they should discuss the situation with their line manager as soon as possible so that any reasonable adjustments can be identified and made.

In some situations a staff member subject to this procedure may offer their resignation at a point before or during the proceedings. Management will consider these offers on a case by case basis. In situations where there is evidence of criminal activity or there is a safeguarding issue, Management may proceed with the disciplinary procedure in any event.

4. Confidentiality

The aim during an investigation or disciplinary procedure is to deal with matters sensitively and with due respect for the privacy of any individuals involved, so far as this is reasonably possible.

All staff members must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter. Failure to do so could itself lead to disciplinary action.

Members of staff are not permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. A representative, or any companion or witnesses who may accompany a member of staff to any meetings or hearings are also forbidden from making electronic recordings. However a note taker will be present at formal hearings in order to produce and distribute a summary of the meeting; however this will not be verbatim.

A staff member will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings, unless, in Management's discretion, it is considered that a witness's identity should remain confidential. This would only happen in exceptional cases where there is a risk that harm may be suffered by the witness and this risk is felt to outweigh any prejudice that may be suffered by the staff member being disciplined in the event that they are not told of the witness's identity.

Witnesses must treat as confidential any information given to them in the course of an investigation or hearing, including the identity of any staff members under investigation.

5. Investigation

The purpose of an investigation is to establish a fair and balanced view of the facts before deciding whether to proceed with a disciplinary hearing or take informal action. The investigation will depend upon the allegations and will vary from case to case. This may involve reviewing any relevant documents, interviewing the member of staff concerned and any witnesses, taking witness statements and any other action deemed appropriate by Management to fully establish the facts of the matter.

Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.

A staff member may bring a representative with them to the investigative meeting (see paragraph 8).

Staff Members must cooperate fully and promptly in any investigation. This will include informing Management of the names of any witnesses they consider to be relevant to the

matter, disclosing any relevant documents to Management and attending any investigative interviews.

The amount and scope of investigation required will depend on the nature of the allegations and will vary from case to case.

Where a staff member's conduct is subject to criminal investigation, charge or conviction Management will investigate the facts before deciding whether to take formal disciplinary action. We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where the staff member is unable or has been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, Management may have to take a decision based on the available evidence. A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider it to be relevant to the work undertaken by any of the individuals covered by this policy.

6. Suspension

In cases where the staff member's continued presence in the workplace would hinder an investigation, Management may need to suspend the staff member from work while an investigation or disciplinary procedure is ongoing. The suspension will be for no longer than necessary and will be kept under review. Management will confirm the arrangements to the staff member in writing.

While suspended a member of staff should not visit any Methodist Connexional offices or contact any Methodist Council staff members, unless s/he has been authorised to do so in writing by Management. A suspended member of staff who attends or is a member of a Methodist Church must inform their manager of this when suspended in order to establish whether this attendance or membership has any bearing on the investigation.

Suspension of this kind is not a disciplinary sanction, is a neutral act, and does not imply that any decision has already been made about the case. Suspension will be on full pay.

7. Formal Disciplinary Procedure

7a. Written Information

Following any investigation, if Management considers there are grounds for disciplinary action, the staff member will be informed in writing of the allegations against him/her and the basis for those allegations. This will normally include:

- a summary of relevant information gathered during the investigation;
- documents which will be used at the disciplinary hearing; and
- witness statements which will be used at the hearing, except where a witness's identity is to be kept confidential, in which case Management will give the staff member as much information as possible while maintaining confidentiality.

7b. Disciplinary Procedure

Management will give the staff member a minimum of 5 working days notice of the date, time and place of the disciplinary hearing, and the names of those attending (unless it is necessary to protect the confidentiality of witnesses). If the staff member wishes to submit any written evidence to the hearing or call any witnesses, a copy of the written evidence and names of witnesses must be submitted to the manager who will be chairing the meeting at least 2 days before the date of the hearing.

The hearing will be chaired by a manager who has not been involved in the investigation. The investigating officer will also be present.

For cases that involve the potential dismissal of a staff member the Chair must be appointed by or on the authority of the Secretary of the Management Committee, the Secretary of the Church Council or the Minister in Pastoral Charge, in consultation with the District Lay Employment Secretary, to ensure an appropriate level of independence.

The staff member may bring a representative with him/her to the disciplinary hearing. The staff member must take all reasonable steps to attend the hearing. If the staff member or their representative cannot attend at the time specified s/he should inform Management immediately and an alternative time may be agreed. If it is not possible to arrange a mutually convenient alternative time or Management is unable to contact the staff member despite making reasonable attempts to do so, the hearing may proceed in their absence. The hearing may also proceed in the staff member's absence if it is considered that they have shown themselves to be persistently unwilling or unable to attend the hearing. The staff member may ask relevant witnesses to appear at the hearing provided that he or she gives the chair of the disciplinary meeting sufficient advance notice to arrange their attendance.

The purpose of the disciplinary hearing is to enable the Chair to consider the evidence and to enable the staff member to respond to the allegations that have been made against him/her. If the staff member has a representative, he or she may make representations to the Chair and ask questions, but should not answer questions on the staff member's behalf. The staff member may request a short adjournment in order to confer privately with his/her representative at any time during the hearing. The process to be followed at the hearing is as follows:

- The Chair opens the proceedings by introducing all parties and reading out the disciplinary charges to be considered.
- The Chair begins by presenting the case, using evidence previously submitted and calling witnesses as appropriate.
- The staff member and his/her representative respond to the alleged charges calling witnesses as appropriate. Both the Chair and the staff member may ask questions of the witnesses.

- The Chair may then ask questions of the staff member and his/her representative.
- The Chair may then sum up their case and may not present any new evidence at this point.
- The staff member may then sum up their case, and may not present any new evidence at this point.
- The Chair will withdraw from the hearing to consider the case, including the evidence which has been submitted prior to the hearing.
- The Chair may adjourn the disciplinary hearing if he or she feels that they need to carry out further investigations, such as re-interviewing witnesses in the light of any new points which the staff member has raised at the hearing. The staff member will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- The Chair of the Hearing will inform the staff member in writing of his/her decision concerning the disciplinary charges, and the sanction to be applied, together with the reasons for his/her decision. The staff member will also be informed of the right of appeal.

7c. Appeals

An appeal must be submitted in writing, to the Chair of the Secretary of the Management Committee, the Secretary of the Church Council or the Minister in pastoral charge stating the full grounds of appeal within 5 working days of the date on which the staff member (the appellant) received written notification of the decision.

Appeals may be made on the basis of the severity of the disciplinary penalty received at the hearing, or on findings of fact. It is not permissible to simply appeal because the staff member is generally unhappy with the outcome of the hearing. Rather, the staff member must set out clearly the issues s/he wishes the appeal hearing to consider i.e. Findings of fact, or the severity of the disciplinary penalty.

The appeal hearing will be chaired by a Secretary of the Management Committee, the Secretary of the Church Council or the Minister in pastoral charge who will give the staff member written notice of the date, time and place of the appeal hearing. 5 days notice will be given of the date of the appeal hearing.

The appeal hearing will normally be conducted by a more senior manager than the person who chaired the original disciplinary hearing.

Appeals against dismissal will be heard by a nominated appeals panel of three members, chaired by the Chair of the District or their nominated representative. Nominations will be agreed by the Chair of the District. No member of the appeals panel will have had direct involvement in the specific decision being appealed. Members of the appeals panel must

declare any other conflict of interest to the Chair of the District.

The staff member may bring a representative with him/her to the appeal meeting (see paragraph 8).

- The order set out below will be followed at the hearing:
- The Chair will introduce all parties
- The staff member (appellant) will present the basis for their appeal, and may use the evidence included in the appeal documentation previously submitted, calling witnesses from the original hearing as appropriate
- The Chair of the Appeal Hearing may ask questions of the staff member
- The Chair of the Appeal Hearing may also call the Chair of the original disciplinary hearing to provide evidence on the evidence which led him/her to make the original disciplinary decision. The Chair and the appellant may ask questions of the Chair of the original disciplinary hearing.
- The Chair may then sum up, and may not introduce any new evidence.
- The staff member may then sum up, [and may not introduce any new evidence.

Following the appeal hearing the Appeal Hearing may:

- confirm the original decision; or
- revoke the original decision; or
- substitute a different disciplinary sanction.

The Chair of the Appeals Panel will inform the staff member in writing of the Panel's final decision as soon as possible following the appeal hearing and within 5 working days. There will be no further internal right of appeal.

The date on which any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the staff member will be reinstated with no loss of continuity of service or pay.

8. Right to be Accompanied

A staff member may bring a representative to any disciplinary or appeal hearings under this procedure. The representative may be either a trade union representative or a work colleague. The staff member must tell the Chair of the Disciplinary Hearing / Appeal Hearing the name of the representative 3 days prior to the hearing.

The Chair of the hearing may, at his/her discretion, allow the staff member to bring a representative who is not another staff member or union representative (for example, a family member) where this will help overcome a particular difficulty caused by a disability, or where the staff member has difficulty understanding English.

Acting as a representative is voluntary and staff members are under no obligation to do so. Staff members will be allowed reasonable time off from duties without loss of pay to act as a representative.

If the staff member's choice of representative is unreasonable the person conducting the hearing or appeal may ask him/her to choose someone else. For example:

- If in the Chair's opinion the representative may have a conflict of interest or may prejudice the hearing; or
- If the representative is unavailable at the time a hearing is scheduled and will not be available for more than five working days.

9. Dismissals and Disciplinary Action

9a. Types of Offences

Offences which may be found to be minor, depending on the circumstances, include but are not limited to poor job performance involving sub-standard work, unsatisfactory time-keeping, absenteeism or some breaches of Hockley & Hawkwell Methodist Church's regulations.

Offences which may be found to be serious, depending on the circumstances, include but are not limited to negligence resulting in minor loss damage or injury, failure to comply with a specific instruction, activities or impropriety in relation to the staff member's tasks for the Hockley & Hawkwell Methodist Church whether or not within working hours which the Hockley & Hawkwell Methodist Church reasonably considers to be detrimental to or conflicting with the interests of Hockley & Hawkwell Methodist Church or likely to affect the staff member's standard of work, failure to disclose any personal interest of the staff member which conflicts with any interest of the Hockley & Hawkwell Methodist Church

or any breach of confidence relating to Hockley & Hawkwell Methodist Church or other organisations involved with Hockley & Hawkwell Methodist Church.

Gross Misconduct includes but is not limited to serious carelessness or negligence resulting in serious loss damage or injury, fighting with or physical assault or attempted assault upon staff members, volunteers or members of the public, theft, malicious damage to property, wilful disregard of duties or of instructions relating to employment, serious breach of safeguarding issues, serious breach of the Equality, Diversity and Inclusion Policy, serious acts of bullying or harassment, deliberate serious breach of confidence relating to the Hockley & Hawkwell Methodist Church or its affairs, the use for personal ends of confidential information obtained by the staff member in the course of his work, misuse of Hockley & Hawkwell Methodist Church's IT systems and fax/telephone facilities, downloading of offensive material such as pornographic or racist material from the internet, e-mailing such material to staff, falsification of records, conduct violating common decency or conviction on a criminal charge relevant to the staff member's work, conduct which demonstrably brings Hockley & Hawkwell Methodist Church into disrepute, being under the influence of alcohol or drugs during working hours.

These are non-exhaustive examples of the sort of offences which if committed will lead to disciplinary action. In addition, poor performance may lead to disciplinary action, including dismissal. A finding of gross misconduct will result in dismissal without notice or pay in lieu of notice.

9b. Disciplinary Sanctions

Hockley & Hawkwell Methodist Church aims to treat all staff members fairly and consistently. Disciplinary action previously taken against other staff members for similar misconduct will usually be taken into account but should not be treated as a precedent. Each case will be assessed on its own merits.

Depending on the seriousness of the matter (whether relating to conduct or poor performance) any of the following stages may be omitted.

9c. Stage One: First Written Warning

A first written warning will usually be given for:

- first acts of more serious misconduct or instances of poor performance, where there are no other active warnings on the staff member's disciplinary record; or
- further misconduct or poor performance where a verbal warning has been given

The warning will set out the nature of the misconduct or poor performance (i.e. the findings of the disciplinary hearing), the change in behaviour required and over what period, and the likely consequences of further misconduct or poor performance.

The warning will be placed on the staff member's personnel file and will remain active for a specified period from the date it is given, after which time it will be disregarded in deciding

the outcome of any future disciplinary proceedings. The staff member's conduct may be reviewed at the end of this period and if it has not improved sufficiently Management may convene another hearing under this procedure.

9d. Stage 2: Final Written Warning

A final written warning will usually be given for:

- misconduct or poor performance where there is already an active warning on the record; or
- cases where there is no active written warning on file but the Chair of the Disciplinary Hearing considers that the misconduct or poor performance is sufficiently serious to warrant a final written warning.

The warning will set out the nature of the misconduct or poor performance, the change in behaviour required and over what period, and the likely consequences of further misconduct.

The warning will be placed on the staff member's personnel file and will remain active for a period to be specified. The staff member's conduct may be reviewed at the end of this period and if it has not improved sufficiently a further hearing may be required at which the staff member's future employment will be considered. After the active period it will be disregarded in deciding the result of future disciplinary proceedings.

9e. Stage 3: Dismissal

The Chair of a disciplinary hearing may decide to dismiss a staff member in the following circumstances:

- misconduct or poor performance where there is an active final written warning on the staff member's record; or
- gross misconduct regardless of whether the staff member has received any previous warnings.

Gross misconduct will usually result in summary dismissal, that is, dismissal without notice or payment in lieu of notice.

In cases not involving gross misconduct the staff member will be given his/her full contractual notice period, or payment in lieu of notice.

9f. Alternative Sanctions Short of Dismissal

In appropriate cases the Chair of the Disciplinary Hearing may consider some other sanction short of dismissal, such as:

- demotion;

- transfer to another role (where performance will continue to be monitored);

These sanctions may be used in conjunction with a written warning.

10. Decisions

Actions short of dismissal may be taken by the chair of the disciplinary hearing.

The decision to dismiss a member of staff may only be made by, or on the authority of the Secretary of the Management Committee, the Secretary of the Church Council or the Minister in pastoral charge in consultation with the District Lay Employment Secretary.

Last Date Modified: December 2016

Grievance Procedure



GRIEVANCE PROCEDURE OF _____ Church/Circuit/Other Employing Body

1.	General Principles
2.	Application
3.	General Considerations
4.	Raising Grievances Informally
5.	Mediation
6.	Initiating the Formal Grievance Process
7.	Investigations
8.	Next Steps and Timescales
9.	Appeals Procedure
10.	The Right to be Accompanied
11.	Grievances after Employment has ended
12.	The Grievance Outcome

1. General Principles

It is the policy of Hockley & Hawkwell Methodist Church to ensure that all staff members have access to a procedure to help resolve any grievances relating to their employment quickly and fairly.

This policy does not form part of staff members' contracts of employment or other agreements relating to their work for Hockley & Hawkwell Methodist Church, and it may be amended at any time.

This procedure applies to all staff members regardless of length of service. It does not apply to agency workers or self-employed contractors.

Any steps under this procedure should be taken promptly unless there is a good reason for delay. The time limits in this procedure may be extended if it is reasonable to do so. Hockley & Hawkwell Methodist Church may vary this procedure as appropriate to a particular case. In these circumstances agreement will normally be sought from the person raising the grievance. The procedure may also be discontinued if it becomes impossible or impracticable for either party to continue with it.

A staff member raising a grievance will be informed in writing of the final outcome of their grievance.

If a staff member has a difficulty at any stage of the grievance procedure because of a disability, s/he should ask his/her line manager for assistance.

Information and proceedings relating to grievances will remain confidential as far as is possible. However, it will not always be possible to deal with issues which are raised in a confidential manner. Where this is the case this will be explained to the person raising the grievance.

Every effort will be made to keep all information relating to the grievance process transparent to both parties with due regard to confidentiality and the nature of the issues raised.

2. Application

This procedure applies to any grievance of an employee relating to their employment apart from issues concerning the following:

- The basis of pay or salary grading of their employment/working arrangements.
- Hockley & Hawkwell Methodist Church policies, unless the grievance is about how the policy has been applied to that employee.
- Decisions under any procedure which states that employees have no right of appeal or further right of appeal.
- Matters outside the Hockley & Hawkwell Methodist Church's control (for example income tax, statutory sick pay).

3. General Considerations

All staff members have the right to proceed with the Grievance Procedure provided the conditions laid out below are adhered to.

This grievance procedure may not be used to delay the application of Hockley & Hawkwell Methodist Church's disciplinary or capability procedures.

- This grievance procedure should not be used to complain about disciplinary action that the Church has taken against you. If you are dissatisfied with any disciplinary action taken against you, you must submit an appeal under the disciplinary procedure.
- A staff member cannot pursue the same grievance more than once.
- If a Manager has a prior involvement in a grievance, the matter should be referred to another Manager.

- If a grievance is shared by more than one staff member, the grievance may be presented by one or more representatives of that group. These collective grievances will be dealt with in a manner appropriate to the facts of the case and will not necessarily follow the process outlined in this policy.
- A staff member should not delay in formally making a grievance, as the timescales set out in this procedure must be adhered to. In any event, a grievance must be raised within one month of when a staff member became aware of the issue.
- Some cases will need extra time for either party to seek advice or for the person hearing the grievance to undertake an objective analysis of all the facts, so the parties may, by mutual agreement, modify the time limits set out in this procedure.
- There is no limit to the number of separate grievances which may be brought by one person. If a grievance is resolved, then the action which caused it occurs again, the employee may raise a fresh grievance.
- A staff member may withdraw a grievance at any stage in this procedure by informing their manager in writing.

4. Raising Grievances Informally

Most grievances can be resolved quickly and informally through discussion with the supervisor. If a staff member feels unable to speak to their manager, for example, because the complaint concerns him or her, then the staff member should speak informally to a more senior manager. In some cases consideration should be given to inviting a third party as an external counsellor/mediator or a pastoral advisor. If this does not resolve the problem the staff member should follow the standard procedure below.

5. Mediation

Every effort will be made to resolve the issue(s) which form any grievance informally as early as possible. However, it is recognised that it is not always possible to resolve grievances at an informal stage.

If the grievance is not resolved at the informal stage, or if either part feels that the informal stage is inappropriate, either party may request mediation. Grievances may be referred to mediation at any stage in the procedure.

Mediation will only take place if both parties agree that they wish to enter into mediation. If mediation takes place, the timescale for initiating action under this procedure will be suspended while the mediator tries to resolve the matter.

Where both parties have signalled a wish to engage in mediation an independent person will be appointed (the "Mediator"). He or she will have no connection with any of the parties involved in grievance which damages his or her impartiality.

The Mediator will not make any decisions or seek to impose any solution. The Mediator's role will be to work with both parties to try to resolve the matters informally.

The mediation, including any preliminary steps, shall be conducted in a manner that the Mediator considers appropriate. This may include:

- the exchange and provision to the Mediator of brief written outlines of the matters in dispute and supporting bundles of documents; and
- preliminary discussions by one or both parties with the Mediator before the mediation.

Provided that this is agreed by all parties prior to the mediation, you may bring a companion to the meditation. Your companion may be either a trade union representative or a colleague.

All information shared during the mediation will be on a confidential and without prejudice basis

6. Initiating the Formal Grievance Process

If your grievance cannot be resolved informally you should put it in writing and submit it to your line manager. If the grievance concerns your line manager you may submit it instead to the line manager's manager or the Secretary of the Management Committee, the Secretary of the Church Council or the Minister in pastoral charge.

The written grievance should state that you are invoking this grievance procedure and contain the following:

- a description of the reasons for your complaint;
- any relevant facts, dates, and names of individuals involved.

In some situations we may need to ask you to clarify the subject matter of your grievance in advance of the meeting or to provide further information.

7. Investigations

In some cases it may be necessary for us to carry out investigations into your grievance. The amount of any investigation required will depend upon the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.

You must co-operate fully and promptly in any investigation. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews, as a part of our investigation.

We may initiate an investigation before holding a grievance meeting where we consider this appropriate. In other cases we may hold a grievance meeting before deciding what investigation (if any) to carry out. In those cases we will hold a further grievance with you after our investigation and before we reach a decision.

8. Next steps and timescales

You will be invited to a grievance meeting, which will normally take place no more than two weeks after the person hearing your grievance (an appropriate manager) has received your written grievance. You may bring a representative to any of the meetings under this procedure. You should bear in mind the following points:

- You and your companion must make every effort to attend any meetings. If you or your representative cannot attend at the time specified for a meeting, you should inform the person hearing the grievance immediately and s/he will make reasonable efforts to agree an alternative time.
- The purpose of the initial grievance meeting is to enable you to explain your grievance. If you have a representative, they may make representations to the person hearing the grievance and ask questions, but should not answer questions on your behalf. You may confer privately with your representative during the meeting.
- After the initial grievance meeting the person hearing the grievance may carry out such further investigations and/or hold such further grievance meetings as he/she considers appropriate. In this respect, you will be informed of the action he/she intends to take, and if appropriate your suggestions will be sought on this. Many issues may be resolved speedily after one meeting, whilst more complex cases may require more extensive investigation.
- The person hearing your grievance will inform you of his/her decision and of your right of appeal within two weeks of the final grievance meeting. If the necessary investigations require a longer timescale you will be informed of this.

9. Appeals Procedure

Should you wish to appeal you should do so in writing to the Chair of the District in writing, stating your grounds of appeal, within 5 working days of the date on which the decision was sent or given to you. You should give as much detail as possible about why you are dissatisfied with the decision.

An appeal meeting will be held, normally no more than two weeks after the Chair of District has received your appeal. The appeal has the following key features:

- You may bring a representative to the appeal meeting.
- The appeal will be heard by a Manager senior to the one who heard your grievance.

The procedure to be followed at the appeal hearing will be:

1. You will present their appeal, setting out clearly the reasons why you do not agree with the findings of the initial grievance hearing
2. The Appeal Manager may ask you questions.
3. If any other parties are present they may also ask you questions.
4. If other parties are present at the hearing they may be questioned by either the Chair of the Appeal Hearing or you.
5. You will then have the opportunity to sum up.
6. The Appeal Manager will then, if necessary, withdraw to consider the evidence.

The Appeal Manager's final decision will be notified to you in writing within two weeks of the appeal meeting, and full reasons will be given. There is no further internal right of appeal.

10. The Right to be Accompanied

You may bring a representative to any meetings held under this procedure. The representative may be either a trade union official or a work-colleague. You must tell the person holding the meeting who your chosen representative is no less than 3 days before the meeting. Staff members are allowed reasonable time off from duties without loss of pay to act as a representative.

In some circumstances your choice of representative may not be allowed, for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. We may also ask you to choose someone else if the meeting would have to be delayed for over five working days because your representative is unavailable.

We may, at our discretion, allow you to bring a representative who is not a staff member or work colleague (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.

11. Grievances after employment has ended

If you wish to raise a grievance after your employment has ended, you should submit it in writing as normal as set out at paragraph 8 above. In order to be considered your grievance must arrive within 15 calendar days of the termination of your employment.

If you raise a grievance after employment has ended, or if you raise a grievance before your employment ends and the standard procedure has not been completed at the termination of employment, an officer of the *[Church / Circuit / Other Employing Body]* will either:

- a. follow the standard procedure set out above at paragraph 8; or
- b. write to ask you whether you would prefer to follow the modified procedure set out below (if you have not already stated your preference in writing). If you do not respond within 10 working days we will follow the standard grievance procedure.

The following modified procedure will apply if agreed in writing by the staff member:

- a. An officer will carry out any investigations that are considered appropriate;
- b. No meetings will be held with you;
- c. You will be notified of the decision in writing, normally within two weeks of agreeing to use the modified procedure; and
- d. There will be no right of appeal.

12. The Grievance Outcome

The outcome of the grievance, at whichever stage determined (that is, at either the Hearing or Appeal stages may take various forms. It may state:-

- a. That on the basis of the findings, the grievance is not well founded
- b. That the grievance is upheld in part and provide an appropriate solution
- c. That the grievance is upheld in full and provide an appropriate solution
- d. Any other relevant decision

Last Date Modified: 16 March 2015

Health and Safety Policy



HEALTH AND SAFETY AT WORK POLICY WITHIN THE METHODIST CHURCH

This statement is issued in conformity with Section 2(3) of the Health and Safety at Work Act 1974 as a statement of the general policy of the Employer with respect to the health and safety at work of the employees of the Employer and of others.

1. Statutory Duty of the Employer

The Employer has a duty to ensure so far as is reasonably practicable, the health, safety and welfare at work of its employees and, in particular to:

- 1.1 Provide and maintain equipment and systems of work that are safe and without risks to health;
- 1.2 Arrange for ensuring safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;
- 1.3 Provide such information, instruction, training and supervision as is necessary to ensure the health and safety at work of the employee;
- 1.4 Maintain any place of work under the Employer's control in a condition that is safe and without risk to health and provide and maintain means of access to and egress from it that are safe and without risk;
- 1.5 Provide and maintain a working environment for the employees that is safe, without risk to health, and adequate as regards facilities and arrangements for their welfare at work.

2. Statutory Duty of the Employees

Every employee has, while at work, the duty to:

- 2.1 Take reasonable care for the health and safety of himself or herself and of other persons who may be affected by his or her acts or omissions at work;
- 2.2 Co-operate with the Employer so far as is necessary to enable any duty or requirement imposed on the Employer or upon any other person by or under any relevant statutory provision to be performed or complied with.

3. Policy Statement

It is the policy of the Employer to promote the health and safety at work of the staff and of all visitors to the premises of the Employer and to that intent to:

- 3.1 Take all reasonably practicable steps to safeguard the health, safety and welfare of the staff and of visitors to the Employer's premises.
- 3.2 Provide adequate working conditions for employees with proper facilities to safeguard their health and safety and to ensure that any work which is undertaken produces no unnecessary risk to health or safety.
- 3.3 Encourage employees to co-operate with the Employer in all safety matters in the identification of hazards which may exist and in the reporting of any condition which may appear dangerous or unsatisfactory.
- 3.4 Encourage each employee to accept his or her own responsibility not to endanger himself or herself or others and actively to assist in fulfilling the requirements and spirit of the legislation.

4. Health and Safety Rules

All employees must exercise ordinary care to avoid accidents in their activities at work and comply with the following general rules and any specific rules which the Employer may publish from time to time.

5. Accident Book

Any injury suffered by an employee in the course of his or her employment, however slight, must be recorded together with such other particulars as are a requirement by statutory regulations in the accident book maintained by the Employer.

6. Fire Procedures

All employees must familiarise themselves with fire escape routes and procedures and follow the directions of the Employer in relation to fire.

7. Equipment and Appliances

No equipment or appliance may be used other than as provided by or specifically authorised by or on behalf of the Employer and any directions for the use of such must be followed precisely.

8. Safety Clearways

Corridors and doorways must be kept free of obstructions and properly lit.

9. Working at Heights

No employee of the Church may undertake work above six feet from floor level, [or ground level if working outside], without having been fully trained in the use of any equipment needed to reach the working area required. If you are required to use a ladder, and the work you are required to do necessitates your being at a height where your feet are more than six feet above ground level, this work should only be carried out with a colleague aiding and assisting you. As a general rule, any work required to the outside of the buildings

should be undertaken by properly qualified and equipped outside contractors who will have the full range of equipment needed.

10. Maintenance

Defective equipment, furniture and structures must be reported as such without delay.

11. Hygiene and Waste Disposal

Facilities for the disposal of waste materials must be kept in a clean and hygienic condition. Waste must be disposed of in an appropriate manner and in accordance with any special instructions relating to the material concerned.

12. Drink and Drugs

The use of intoxicants on church premises is forbidden. No employee may undertake his or her duties if under the influence of drink or drugs, except in the case of drugs when he or she is under medical supervision.

Last Date Modified: December 2016