Esgobaeth Llandaf
Diocese of Llandaff
Mae Ffydd Yn Cyfrif | Faith Matters

Llandaff Diocesan Board of Finance (DBF) Disciplinary Procedure

September 2026

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1. Introduction

Llandaff DBF seeks to foster a positive working environment, with supportive working relationships and clear communication. Our policy is to resolve problems quickly and informally wherever possible. Occasionally however a situation may arise which necessitates more formal action.

The aim of this disciplinary procedure is to provide a consistent framework within which managers can work with employees to maintain satisfactory standards of conduct and to encourage improvement where necessary.

We aim to ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts.

Employees (including those in their probationary period) should not be dismissed or subjected to disciplinary action without being provided with the following:

a)A written statement of the allegations against them

b)A fair hearing before any decision is reached

c)The right to an appeal hearing.

2. General Principles

2.1. Minor conduct issues

Minor conduct issues can normally be resolved informally between the employee and their manager. These discussions should be held in private and without undue delay whenever there is cause for concern. In some cases, an informal verbal warning may be given, which will not appear on the employee's HR records. The formal procedure will only be initiated if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

2.2.Probation

Where disciplinary allegations are made against a probationary employee, the LDBF may omit some of the steps set down in this procedure and/or vary some or all of the time limits. As a minimum however the three steps outlined above will be carried out prior to dismissing a probationary employee.

2.3.Confidentiality

Our aim during a factfinding process or disciplinary procedure is to deal with matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.

Employees are not permitted to make any electronic recordings of any fact-finding or investigative meetings, disciplinary or appeal hearings without prior agreement. Employees representatives, or any companions or witnesses who accompany them to any meetings or hearings, are also forbidden from making electronic recordings without prior agreement. LDBF may wish to make an electronic recording of a meeting: individuals will be informed beforehand if this is the case.

Employees will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against them, unless, in the LDBT's discretion, it is believed that a witness's identity should remain confidential.

Witnesses must treat as confidential any information given to them in the course of an

investigation, including the identity of any employees under investigation.

2.4. Presumption

No disciplinary action will be taken against an employee until the case has been fully investigated.

There is no presumption that a disciplinary procedure will result in a disciplinary penalty.

2.5. Right to be accompanied

2.5.1. Employees may bring a companion to any meetings held under this procedure unless stated otherwise. The companion may be either a trade union official or a fellow employee. The employee must tell the person holding the meeting who their chosen companion is, in good time before the meeting. Employees are allowed reasonable time off from duties without loss of pay to act as a companion.

2.5.2. If an employee has a companion, they may make representations to the person holding the meeting and ask questions, but should not answer questions on the employee's behalf, unless there are specific needs identified in advance, such as translation or a disability. Individuals may confer privately with their companion at any time during the meeting.

2.5.3. In some circumstances the choice of companion may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice the meeting. The LDBF may also ask employees to choose someone else if the meeting would have to be delayed for over five working days because their companion is unavailable.

2.5.4. The LDBF may, at its discretion, allow individuals to bring a companion who is not an employee or union official (for example, a member of their family) where this will help overcome a particular difficulty caused by a disability, or where an employee has difficulty understanding English.

2.6.Attendance

Where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause, a decision will be made on the evidence available.

2.7. First breach

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.

2.8. Appeal

Employees will have the right to appeal against any disciplinary action.

3. Fact Finding Process

Where there is uncertainty about whether a breach of discipline has occurred, a fact-finding investigation may be carried out. Where there is no need for such investigation, the formal procedure will take place as outlined in section 5.

In the event that a fact-finding process is necessary, the leadership team will usually appoint an Investigating Officer. It will be made clear to an employee prior to a fact-finding meeting that the process may lead to disciplinary charges being raised.

Fact-finding 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.

Employees may bring a companion to any meetings held under this procedure unless stated otherwise. The companion may be either a trade union official or a fellow employee. Employees must tell the person holding the meeting who the chosen companion is, in good time before the meeting. Employees are allowed reasonable time off from duties without loss of pay to act as a companion.

Individuals must cooperate fully and promptly in any fact-finding process. This will include informing the LDBF of the names of any relevant witnesses, disclosing any relevant documents to the LDBF and attending any interviews.

The investigating officer will write a report of the fact-finding process.

4. Suspension

In some cases of alleged misconduct, the LDBF may need to suspend an employee from work while a fact-finding process or disciplinary procedure is ongoing. Such suspension will be in place for a short a time as possible. The arrangements will be confirmed to the employee in writing.

While suspended the individual should not visit LDBF premises or contact any members of Llandaff congregations, clients, customers, suppliers, contractors or employees, unless they have been authorised to do so by the leadership team.

Suspension of this kind is not a disciplinary sanction and does not imply that any decision has already been made about the case. Employees will continue to receive their full salary and benefits during the period of suspension.

5. Formal disciplinary procedure:

5.1.Initiating formal procedure

The formal procedure will be used when a manager believes that an employee may have committed a breach of conduct: either

- a further minor breach of conduct that has already been subject to informal action
- a matter too serious to be dealt with by informal action
- in all cases of alleged gross misconduct.

5.2. Written information

Following any investigation, if the LDBF considers there are grounds for disciplinary action, the employee will be informed in writing of the allegations against them and the basis for those allegations. This will normally include:

a)A summary of relevant information gathered during the fact-finding process

b)Documents which will be used at the disciplinary hearing

c) Witness statements which will be used at the hearing, except where a witness's identity is to be kept confidential, in which case the LDBF will give the employee as much information as possible while maintaining confidentiality

d)Possible consequences of disciplinary action.

The employee will have a reasonable opportunity to consider this information before the hearing.

5.3. Disciplinary hearing

The employee will be given written notice of the date, time and place of the disciplinary hearing, which will normally be at least five working days after they receive the written notice. The LDBF will also inform them of their right to be accompanied. The meeting is to be held promptly whilst giving the individual reasonable time to prepare their case.

5.4. Chair

The hearing will be chaired by an appropriate individual, with authority levels as shown in the table below:

Level to be considered	***Management Level***
Verbal	Line Manager / Diocesan Secretary or COO
First Written	Line Manager / Diocesan Secretary or COO
Final Written Warning	Diocesan Secretary / Chair LDBF
Dismissal/action short of dismissal	Chair LDBF

The Chair will not be an individual who was involved in the actual dispute. The Investigating Officer and/or a HR advisor provided by the RB will also be present. The employee may bring a companion with them to the disciplinary hearing.

5.5. Attendance

The employee must take all reasonable steps to attend the hearing. If they or their companion cannot attend at the time specified, they should inform the Chair immediately and the LDBF will seek to agree an alternative time. If they are unable to attend this rearranged hearing without good reason, the disciplinary hearing may proceed in their absence.

5.6. Adjournment

The disciplinary hearing may be adjourned if the LDBF needs to carry out any further investigations. For example, the LDBF may decide to re-interview witnesses in the light of any new points that have been raised at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

5.7.Decision

Within one week of the disciplinary hearing LDBF will inform the employee in writing of the decision (including details of any misconduct that it is considered they have committed, and the disciplinary sanction to be applied) together with the reasons for the decision. LDBF will also inform them of their right of appeal and the person to whom they should appeal. Where possible this information will be explained to them in person.

5.8. Appeals

If the employee wishes to appeal they should do so in writing, stating their full grounds of appeal, to the person indicated in 5.7 within one calendar week of the date on which they were informed of the decision.

5.9. Decision

LDBF will inform the employee in writing of the final decision within one week of the appeal hearing. Where possible this will also be explained to them in person. There will be no further right of appeal. Dismissal will take place on the day of the disciplinary hearing which decides it.

If the appeal is successful, the individual will be reinstated with no loss of continuity or pay, and will receive any monies outstanding as back pay.

6. Dismissals and disciplinary action:

6.1. Disciplinary sanctions

LDBF aims to treat all employees fairly and consistently. Disciplinary action previously

taken against other employees 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 any of the following stages may be omitted.

6.2. Stage 1: formal verbal warning

6.2.1. The employee may be given a verbal warning for a minor act of misconduct where they have no other active warnings on their disciplinary record.

6.2.2. The warning will be confirmed in a letter to the employee which will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct.

6.2.3.A record of the warning will remain active for six months from the date it is given, after which time it will be disregarded in deciding the outcome of future disciplinary proceedings. The employee's conduct may be reviewed at the end of this period and if it has not improved sufficiently the LDBF may decide to extend the active period.

6.2.4. Verbal warnings may be given by the line manager.

6.3.Stage 2: first written warning

6.3.1.A first written warning will usually be given for:

a) First acts of misconduct where there are no other active warnings on the disciplinary record; or

b) Minor misconduct where there is an active verbal warning on the record.

6.3.2. The warning will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct.

6.3.3. The warning will be placed permanently on the employee's HR file and will remain active for six months from the date it is given, after which time it will be disregarded in deciding the outcome of future disciplinary proceedings. The employee's conduct may be reviewed at the end of this period and if it has not improved sufficiently, the LDBF may decide to extend the active period.

6.3.4. First written warnings will be given by the Disciplinary Officer after a formal disciplinary hearing.

6.4. Stage 3: final written warning

6.4.1.A final written warning will usually be given for:

a) Misconduct where there is already an active written warning on the employee's record

b) Cases where there is no active written warning on file, but the LDBF considers that the misconduct is sufficiently serious to warrant a final written warning.

6.4.2. The warning will set out the nature of the misconduct, the change in behaviour required and the likely consequences of further misconduct.

6.4.3. The warning will normally remain active for 12 months or, if the LDBF decides that the matter is more serious, for a longer period. The employee's conduct may be reviewed at the end of this period and if it has not improved sufficiently, the LDBF may decide to extend the active period. After the active period it will be disregarded in deciding the result of future disciplinary proceedings. In exceptional cases verging on gross misconduct, a final written warning may state that it will remain active indefinitely.

6.4.4. Final written warnings will be given by the Disciplinary Officer after a formal disciplinary hearing.

6.5. Stage 4: dismissal

6.5.1.We may decide to dismiss employees in the following circumstances:

a)Misconduct during their probationary period

b)Misconduct where there is an active final written warning on their record

c)Gross misconduct regardless of whether they have received any previous warnings.

6.5.2. 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 employee will be given their full contractual notice period, or payment in lieu of notice. In all such cases a fair disciplinary process before deciding whether gross misconduct has occurred.

6.5.3. All employees will be given a right of appeal.

6.6. Alternative sanctions short of dismissal

6.6.1. In appropriate cases the LDBF may consider some other sanction short of dismissal, such as:

- **6.6.1.1.**Demotion
- **6.6.1.2**.Transfer to another role
- **6.6.1.3.**Period of suspension without pay

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

7.Disciplinary Offences Guidelines:

7.1. Misconduct

7.1.1. Misconduct is defined as failure in personal conduct, persistent poor performance, or deliberate infringement of policies, rule and procedures.

7.2.Gross Misconduct

7.2.1. Gross misconduct is defined as misconduct serious enough to destroy the employment contract between the employer and the employee/worker which makes further working relationship and trust impossible.

7.2.2. Gross misconduct is normally restricted to serious offences. Reasons for summary dismissal could include but are not limited to:

- Criminal offence which affects the individual's ability to carry out their job
- Physical assault by an employee on any other person
- Theft, misappropriation or unlawful destruction of property: the employers' employees' or others'
- Serious infringement of safety rules or negligence which causes unacceptable loss, damage or injury
- Supplying security access codes to any unauthorised person
- Unauthorised disclosure of information or misuse of trust of a serious nature
- Making malicious or unfounded allegations of a serious nature
- Deliberate falsification of any documents or claims, including those such as overtime or expense forms
- Misconduct at work or away from work of such a serious nature as to bring into disrepute either the employee's position or the organisation
- Discrimination, harassment or bullying
- Persistent alcohol or drug abuse
- Engaging in unauthorised employment during hours when contracted to work for the organisation or during periods of designated leave, for example annual or sick leave, time off for training, etc.
- Failure to disclose unspent criminal conviction(s) or any convictions, whether spent or not, in respect of posts exempt under the terms of the Rehabilitation of Offenders Act 1975
- Providing false information on a job application form
- Fraud, corruption or bribery.

END OF POLICY

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