

## Diocese of Elphin – HR Policy Handbook

**Document Name:** Disciplinary Policy  
**Document No:** 11.1.1 (original)  
**Effective Date:** 15<sup>th</sup> February 2019  
**Written By:** Frank Mitchell, HR Advisor  
**Approved By:** +Kevin Doran, Bishop of Elphin



*Operating under the patronage of Our Lady of the Immaculate Conception, the Diocese of Elphin aims to provide staff members with a safe, caring and supportive Christian environment in which to carry out their work. Work objectives are to be advanced with due regard to the needs and dignity of each staff member and with due regard for the individuals and communities the diocese serves.*

*This document outlines the Diocesan Disciplinary Policy. It is applicable to parishes, offices, agencies and any entity operating under the governance of the Diocese of Elphin (hereafter referred to as "the employer"). Line Managers (Bishop, Priests, Deacons, Religious, Lay Personnel who supervise staff members) are responsible for communicating this policy and having it signed off by their staff member(s).*

Where a staff member's conduct, attendance or performance warrants disciplinary action, the following procedures will apply, except in cases of misconduct attracting summary dismissal.

During stages 2 to 6 below, the following principles apply:

- the right of staff members to know the allegations/complaints against them;
- the right of staff members to representation;
- the right of staff members to defend themselves;
- the right of staff members to a fair and objective investigation/hearing of the case;
- the right of staff members to appeal the decision;
- the right of the employer to suspend the staff member (with pay) to facilitate the investigation;
- the right of the employer to enter into the procedure at the appropriate stage, dependent on the issue presented.

### 1. Counselling

Where appropriate, the staff member may be initially counselled about their behaviour or work performance. This is an informal part of the process and a note of the outcome will be recorded by the staff member's immediate supervisor.

### 2. Formal verbal warning

In the event of a further breach of conduct, poor attendance or lapse in performance, or should the issue so warrant, the staff member will be given a formal verbal warning by his or her immediate supervisor. This warning will be recorded on the staff member's personnel file. Should there be no further breaches in a six-month period, the warning will be deemed to have expired.

### 3. First written warning

In the event of a further breach, the staff member will be issued with a formal written warning following a disciplinary meeting. This warning will be recorded on the staff member's personnel record for a period of nine months. Should there be no further breaches in a nine-month period, the warning will be deemed to have expired.

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### 4. Final written warning/suspension/demotion/withholding of a benefit

In the event of yet a further breach the staff member will be given a final formal written warning following a disciplinary meeting. This warning will be recorded on the staff member's personnel record for a period of 12 months. At this stage the staff member may also be suspended without pay if there is a further infringement as an alternative to dismissal or in conjunction with a final written warning. Should there be no further breaches in a 12-month period, the warning will be deemed to have expired.

### 5. Dismissal

If a staff member is guilty of further breaches, the staff member may be dismissed following a full and thorough investigation and disciplinary meeting.

The 'Diocese' reserves the right to enter at any stage of this procedure depending upon the gravity of the matter.

### 6. Gross misconduct

In cases of serious misconduct such as assault, theft, wilful damage to 'diocesan' property, reporting for work under the influence of alcohol, breaches of trust, etc., the 'diocese' may summarily dismiss a staff member without recourse to the procedure contained in clauses 1 to 4 above. In cases where the 'diocese' is investigating serious breaches of procedures, it may suspend a staff member with pay in order to facilitate investigation of the particular case. Following investigation of any matter under this clause, the 'diocese' may decide either to impose another form of discipline, such as suspension without pay and/or final written warning without recourse to the procedure in 1 to 4 above.

Gross misconduct includes but is not limited to:

- insubordinate behaviour and/or the refusal to carry out legitimate instructions;
- falsification of information supplied during the employment process including application form, references, medical form or verbally at interview, etc;
- deliberate damage to or negligence of 'diocesan' equipment, facilities or property of staff or parishioners, or clients;
- falsification of 'diocesan' records, including personnel related records, time sheets, inventory records, medical certificates, expenses, etc;
- failure to comply with correct attendance procedures;
- dishonesty, theft or fraud, including abuse of any of the 'diocesan' benefit schemes.
- wilful failure to comply with 'diocesan' procedures;
- reporting for work under the influence of or in possession of alcohol or unprescribed drugs or partaking of alcohol or unprescribed drugs whilst on duty;
- bullying, harassment, sexual harassment, indecent or offensive behaviour;
- fighting or horse play;
- gambling on the premises;
- possession of an offensive weapon on 'diocesan' property;
- criminal offences whether committed at work or outside the course of employment;
- breach of confidentiality;
- breach of trust;
- serious breach of information technology and internet use policy;
- violation of safety rules and practices.

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The above is not intended to be an exhaustive list nor does its order imply significance. Any such dismissal will follow a full investigation, in which all of the staff member's rights in natural justice will be respected.

### Representation

It is agreed that at all stages from 1 to 4 above a staff member shall at all times have the right of representation, in line with the Statutory Code of Practice on Grievance and Disciplinary Procedures (SI 146 of 2000). A representative, for the purposes of the code includes a colleague of the staff member's choice but not any other person or body unconnected with the 'diocese'

### Appeals

A staff member will be entitled to appeal an outcome at any stage of the procedure within 5 working days.

*For further information please contact:*

HR Advisor  
Elphin Diocesan Office  
St. Mary's  
Temple Street  
Sligo F91 KTX2  
Email: [hr@elphindiocese.ie](mailto:hr@elphindiocese.ie)  
Mobile: 087 240 4882