



*Bringing Life to the Heart of 1066 Country and beyond*

# STAFF HANDBOOK

*for all staff employed by Battle Baptist Church including  
Caterpillar Pre-school*

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## Desk aid summarising Role of Pastor and Church Manager as line managers

### Overall role & responsibility

- **Manage staff** they are accountable for – ie for:
  - John, these are Mary, Kelly & Greg
  - Dennis, these are John, Francis, Paul & Andy (&, in effect, Fiona & Kathy) as a ministerial student placements)
- **Give staff time** - be the first port of call to listen to, & resolve, staff issues
- **Follow Staff Handbook procedures** for line managers
- **Do not spend time doing everything yourself** – achieve through others
- **Don't do everything for your staff** – give out responsibility, delegate work & be there for any support you need to give. Remember, we all learn by mistakes
- **Assure that staff play a pro-active & full role in following Staff Handbook procedures** - including taking personal responsibility for their own development & managing their own holiday & sick leave
- **Agree & set the work** that staff need to do to progress God's kingdom, agreeing clear quality & deadline requirements. **For Caterpillar Pre-school, the work of staff is about providing education & care in line with OFSTED requirements**
- **Check the quality of work from their staff and assure that deadlines are met**
- **Give staff regular feedback** on how they are progressing their work. Make sure all feedback is given early after the event & that it is supported by specific examples of what was done well or not so well & why
- **Recognise work well done & do not delay having difficult conversations** when work is not done to requirements
- **Provide their staff with regular advice, coaching, guidance & other support** that their staff need to carry out their duties effectively
- **Give staff the opportunity to receive any necessary training** that cannot be provided by their line manager
- **Give direction to staff on how to organise & prioritise work** (eg where staff have been received conflicting work requests from other staff or Church Members, or where they do not have the capacity to deal with concurrent workloads)
- **Involve staff in decision-making**, where appropriate, to secure their commitment & ownership of work
- **Ensure staff maintain the right work-life balance** so that they take regular time off & take their annual holiday entitlement

- **Manage the costs incurred by your ministry** in consultation with the Elders, Deacons & Treasurer (as applicable). **For Caterpillar Pre-school, this consultation will be with the Pre-school Manager, Management Committee & Treasurer**

### Skills needed

- **Permit & encourage staff to be responsible for delivering their work** – don't stifle initiative through controlling or manipulative behaviour
- **Lead by example** – be accessible, open & listen so staff find it easy to discuss issues with you
- **Communicate requirements clearly**
- **Envision staff with clear direction** & don't change your mind unless unforeseen factors cause you to do so
- **Influence staff positively** with fair & reasoned decisions
- **Respond to staff suggestions & resolve problems early** as they arise. Don't be defensive to criticism – find out why it is being made & whether you can address the issues concerned
- **Think about contingencies** so that you have alternative plans when things go wrong
- **Build good relations & a sense of team** - so your staff can support each other & share experience, knowledge & skills. *Staff who feel positive about their relationships with managers & each other have more job satisfaction, commitment & loyalty, which all lead to higher performance*
- **Remember – God has given you the experience, knowledge & skills to carry out the line manager role successfully.** Practice & develop these skills. Organisations which have a strong, shared culture with guiding principles about behaviour are the most successful. **What could be stronger than serving Jesus in the unity of His Holy Spirit!**

## Standards of Behaviour

- 1 Staff are expected to comply with the following Standards of Behaviour, which honour the Lord Jesus Christ and enable Battle Baptist Church to serve Him effectively and obediently. Failure to do so may result in the staff member being subject to disciplinary action as set out in Battle Baptist Church's Discipline policy and procedure.

### General behaviour

- 2 Battle Baptist Church is committed to providing a working environment, which is welcoming, harmonious and acceptable to everyone with whom the staff come into contact. Staff must respect the feelings and well-being of their colleagues. What may be acceptable to one person may be upsetting or intimidating to another. The following are examples of behaviour that is unacceptable:
  - coarse or insensitive comments or jokes;
  - display of offensive material;
  - deliberate exclusion from conversation or activities;
  - unwelcome familiarity or body contact;
  - demands or threats.
- 3 At work, staff should:
  - conduct themselves in a courteous and polite manner with everyone with whom they come into contact;
  - comply with reasonable requests from colleagues, giving priority to the accountable person named in their contract of employment (ie their line manager).
- 4 While Battle Baptist has no wish to intrude upon the outside life of staff members, we expect staff to behave outside of working hours in a way that would not cause the Church to question their integrity or prevent them from carrying out their duties satisfactorily (***eg gambling or unsociable behaviour caused by drinking***).

### Private use of Church equipment

- 5 Staff can use Church equipment (eg telephones, Internet and photocopiers) for private use as long as they:
  - ask permission to do so from their line manager;
  - do not prevent priority work being carried out by the Church;
  - where appropriate, can pay for the use (eg with private photocopies or stamps).

### Car parking

- 6 Staff who park their private vehicles on or around the Church premises do so at the owner's risk, and should comply with Church car parking and Local Authority requirements. Battle Baptist Church accept no liability for any damage caused to such vehicles.

### Housekeeping

- 7 Staff should keep their individual desks and work areas clean and tidy at all times. Any papers or CD-roms and floppy disks with sensitive information should be locked away when staff go home from work.

- 8 Staff should wash up and put away cups and plates etc soon after they have finished with them, and not leave them around for other colleagues to deal with.

### Notice boards

- 9 Responsibility for the up-keep of Notice boards is given to designated staff. For publicity to be posted on any Notice board it must publicise activities and events that further the Mission of Battle Baptist Church or the wider extension of God's kingdom. Permission to post such items must be first sought from the designated staff member with responsibility for the Notice board.

### Gambling

- 10 Staff should not take part in gambling and betting **during working hours**.

### Gifts and hospitality

- 11 Staff may receive gifts (**eg by way of "thank yous"**) or as an expression of God's love through people. Where any gift is financial, staff should deal with it as appropriate in consultation with the Church Treasurer **or Caterpillar Pre-school Treasurer**. However, there may be times when it is inappropriate to accept undue hospitality or gifts from people (eg from a member of the opposite sex or where favours are sought). Where refusal of an offer of a gift or hospitality may cause embarrassment or difficulty, staff should immediately refer the matter to their line manager.

### Buying or selling private goods

- 12 Staff are not permitted to buy and/or sell private goods on the Church premises during or outside of working hours.

### Use of private mobiles

- 13 Staff should switch off their mobile phones during working hours unless permission is sought from their line manager.

### Other employments

- 14 Staff must notify their line manager of all other employments, which they undertake. Battle Baptist Church may not allow staff to take up other employments which conflict with the Church's Mission or adversely affect the staff member's behaviour or performance.

### Confidentiality

- 15 Church staff can handle confidential and sensitive information – eg details about a pastoral care issue. Staff must only use the information for the purpose of which it was passed to them. It must not be passed onto others unless there is a clear and genuine need – eg: another staff member needs to know the information to carry out their work or the person providing the information:
- agrees to it being passed on (eg pastoral care entries in the Day Book); or
  - someone around them is at risk of harm if the information is not passed on to others who can help to deal with the risk.

### Contact with the Media

- 16 Staff should only have contact with the Media (eg conducting an interview with a journalist from the Battle Observer) if they have permission to do so from their line manager.

### Use of Information Technology (IT)

- 17 Battle Baptist Church recognises the need for its staff to have clear guidance on how to use IT equipment properly as it plays an important part in the working life of the Church. Before staff use the IT equipment, they should read the following paragraphs that set out the policy on using IT. If staff breach the IT policy, they will be subject to the Church's discipline procedures.
- 18 To maintain the integrity of the Church's IT system and records, staff must comply with the following rules:
- passwords for access to the system are confidential and must not be revealed to other persons;
  - all software or disks must be authorised by the Church Manager before they are loaded onto any computer;
  - private use of the e-mail and/or Internet must be agreed by the Line Manager or Church Manager;
  - the creation, storage and/or distribution of materials that are offensive on any grounds is forbidden. Material is considered offensive if it breaches legal requirements or causes stress to the person who discovers or receives it;
  - upon the discovery of a virus, and/or corrupted or offensive data, the Church manager must be advised immediately;
  - e-mail must be used in accordance with the rules in paras 19 to 21 below.

### Use of e-mail

- 19 Staff should not normally use e-mail as a substitute for face-to-face or telephone contact with people, which should be the primary method of communication with people connected with the Church (unless e-mail needs to be sent to large numbers of people in one hit – eg with the weekly newsletter).
- 20 Staff should:
- take care when drafting an e-mail so that it's contents cannot be misinterpreted. Content should be factually correct and non-defamatory;
  - make sure that the reply is to the intended recipients;
  - keep e-mails and any attachments small as large or high-resolution documents can adversely affect the performance of the IT system.
- 21 Staff must not:
- bully, harass or abuse others through the use of e-mail (or any other way);
  - access or distribute pornography;
  - engage in on-line gambling;
  - take part in electronic chain letters;
  - download or distribute copyright information;
  - download, open or distribute unauthorised software;
  - include confidential information within e-mails unless it is necessary and can be anonymised.

### Smoking and drinking alcohol

- 22 Staff must not smoke or drink alcohol on the Church premises.

### Illegal substances

- 23 Staff are strictly forbidden to use any illegal substances (eg non-prescribed medicines and other drugs) whether during or outside working hours.

## Discipline policy and procedure

### Policy

- 1 This is the Discipline policy and procedure for Battle Baptist Church, which becomes effective from 1 April 2006. These procedures:
  - are based on the Discipline procedures recommended by ACAS and used by the Baptist Union;
  - comply with the Employment Act 2002 (Dispute Resolution) Regulations; and
  - must be used for all disciplinary action taken on or after 1 April 2006.
- 2 This policy is a means of ensuring that all staff meet the Church's Standards of Behaviour in a fair and systematic way. All staff have a responsibility to make themselves aware of these Standards and to comply with them. Ignorance of the Standards will not necessarily amount to a reasonable defence against an act of misconduct.
- 3 The procedures are not designed to be punitive; they are designed to support good management practice and encourage improvements in individual behaviour. However, should circumstances demand it, penalties may be imposed on individuals if they do not comply with the Church's Standards of Behaviour. There are different procedures for dealing with poor performance, which are set out under the Church's Personal Development policy. ***For Caterpillar Pre-school staff, any references to Diaconate Staffing Committee should be taken to refer to the Caterpillar Pre-school Management Committee.***

### 3 categories of misconduct

- 4 There are 3 categories of misconduct depending on the seriousness of the offence and whether it is an isolated incident or one that has been repeated. The 3 categories are minor, serious and gross misconduct. It is not possible to give an exhaustive list of examples of the type of offences that can be found under each category. The offences below are purely "for example only".

#### *Minor misconduct*

- Poor timekeeping.
- Minor breaches of health and safety requirements.
- Isolated incident of unauthorised absence.
- Failing to obey a lawful and reasonable instruction.
- Using work time for personal purposes without permission.
- Minor incident of rudeness.
- Failure to take proper care of Church property.

#### *Serious misconduct*

- Repeated minor offences of the same or different nature.
- Persistent poor time keeping or unauthorised absence.
- Abuse of sick leave provisions – eg submitting false self-certificates.
- Serious neglect of duties.
- Incident of rudeness involving offensive behaviour.
- Minor incident of bullying or harassment.
- Breach of confidentiality.

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- Carrying out duties whilst under the influence of alcohol or drugs.
- Minor misuse of the Church's computer system, including e-mail and Internet access.

### *Gross misconduct*

- Repeated serious misconduct.
- Theft.
- Fraud or deliberate falsification of records.
- Fighting or physical violence.
- Serious bullying or harassment, including threatening behaviour.
- Deliberate, willful or malicious damage to property.
- Criminal conduct outside of work that is relevant to the employment, or that might cause damage to the Church's reputation.
- Serious misuse of the Church's computer system, including e-mail and Internet access.

### Rights of staff

#### 5 **Staff** have the right to:

- not to be dismissed for a first offence or without notice unless they have carried out some form of gross misconduct;
- have a full and fair investigation into any allegation of misconduct made against them;
- in cases of serious misconduct, be able to state their case at a disciplinary interview. The interview should be at least 2 weeks from the date of the disciplinary letter putting the allegation and supporting evidence (including witness statements) to the staff member and inviting them to the interview;
- ask questions, present evidence and call relevant witnesses;
- be accompanied and represented throughout formal disciplinary interviews by a work colleague, family member or friend;
- re-arrange the interview within 1 week of the original date if their work colleague or friend is not available;
- to remain silent during the interview, but be aware that any decision on disciplinary action to be taken will be based on the evidence against them;
- be given a copy of the record of the interview, which they can check and submit changes to;
- receive written confirmation of the disciplinary penalty imposed and the reasons for it;
- appeal against any disciplinary penalty imposed and use the Church's Grievance procedures when dissatisfied with any oral or written disciplinary warning given to them. When a staff member raises any grievance during a disciplinary process, that process may be temporarily suspended to deal with the grievance. However, where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

### Role of the Line Manager

#### 6 The **Line Manager** is the "accountable person" referred to in the staff member's contract of employment. Their disciplinary responsibility is to:

- ensure their staff are aware of what is expected of them in the Church's Standards of Behaviour;

- identify and investigate incidents of misconduct to satisfy themselves that they took place and demand disciplinary action;
- decide which category of misconduct applies;
- follow the disciplinary procedures correctly and without delay.

### Role of the Decision Maker

- 7 The **Decision Maker** will be the Line Manager who decides the disciplinary action to be taken in a particular case. They must:
- set out the precise nature of the alleged offence to the staff member;
  - allow the staff member to put their case at a disciplinary interview;
  - make an impartial decision based on the facts of the case;
  - examine all the evidence available and decide whether the staff member has breached the Standards of the Behaviour;
  - be careful when dealing with evidence from a person who wishes to remain anonymous. Take written statements, seek corroborative evidence and check that the person's motives are genuine;
  - decide on the appropriate category of misconduct, and penalty (if one is needed), taking into account previous conduct and any mitigating circumstances;
  - inform the staff member of the decision within 2 weeks of the disciplinary interview, and take the action necessary.

### Penalties

- 8 The disciplinary penalties that can be imposed are as follows:
- informal or formal oral warnings, which will remain in force for 6 months;
  - formal first and second (ie final) written warnings, which will remain in force for 12 months;
  - dismissal.

### **Procedures**

#### Informal action – oral warnings

- 9 If the staff member has carried out some form of minor misconduct, their **Line Manager** must deal with the matter quickly and informally. It is expected that in most cases an informal oral warning will quickly resolve most difficulties. The **Line Manager** must:
- investigate the alleged or actual offence to satisfy themselves that it took place and demands disciplinary action;
  - act as Decision Maker as described in para 7 above;
  - meet with the staff member at the earliest opportunity following the alleged or actual offence;
  - set out the precise nature of the alleged or actual offence to the staff member;
  - following a short adjournment, decide whether an informal oral warning is necessary, and if so give that warning, which lasts for 6 months;
  - make a note of the warning and keep it on the staff member's file for 6 months, after which it can be destroyed.

## Formal action

### Line Manager's role

- 10 If the staff member has carried out some form of serious or gross misconduct, the **Line Manger** must:
- consider whether the staff member should be suspended with pay while the disciplinary process is being carried out (see para 13 below);
  - investigate the alleged or actual offence to satisfy themselves that it took place and demands disciplinary action;
  - if relevant, call witnesses who can be questioned by the staff member;
  - act as Decision Maker as described in para 7 above;
  - issue a disciplinary letter to the staff member: putting the alleged or actual offence and supporting evidence (including witness statements); inviting them to the interview, which must be at least 2 weeks from the date of the disciplinary letter; and informing them of their right to be accompanied and represented by a work colleague, family member or friend;
  - consider arranging for an independent person to be present at the interview to take notes;
  - at the disciplinary interview, invite the staff member will be invited to state their case and to answer the allegations made;
  - following a short adjournment, decide whether the seriousness of the offence warrants the issue of a formal oral or written warning or dismissal taking into account previous conduct and any mitigating circumstances – eg:
    - oral warning for repeated minor misconduct; **or**
    - first written warning for rudeness involving offensive behaviour; **or**
    - final written warning for a second offence of serious misconduct falling short of dismissal; **or**
    - dismissal for gross misconduct;
  - where a penalty is to be imposed, tell the staff member at the interview that: this constitutes formal disciplinary action which can be appealed against; the decision will be confirmed in writing within 2 weeks of the interview; and that at the same time they will also be provided with a copy of the notes from the interview;
  - where dismissal is appropriate, advise the staff member that the decision will need to be confirmed by the Diaconate Staffing Committee.
- 11 Within 2 weeks of the interview at para 10 above, the **Line Manager** must:
- **where dismissal is appropriate**, refer all the papers from the staff member and Line Manger to the Diaconate Staffing Committee to confirm that dismissal is the right decision to take;
  - **in all cases**, provide the staff member with a copy of the notes from the interview;
  - **in all cases**, confirm their decision to the staff member in writing, setting out:
    - details of the misconduct and the action that the staff member needs to take to remedy their misconduct along with the time period for review;
    - the period of time the warning will remain “live” on the staff member’s file – ie 6 months for oral warnings and 12 months for written warnings;
    - if appropriate, that the Diaconate Staffing Committee has confirmed the dismissal action;

- the staff member's right of appeal against the decision to an independent Elder.

### *Dismissal and the role of the Diaconate Staffing Committee*

- 12 Where dismissal is appropriate, and within 1 week of the interview at para 10 above, the **Diaconate Staffing Committee** must appoint one of their members to:
- review the paperwork associated with the case; and
  - taking into account the staff member's previous conduct and any mitigating circumstances, confirm or otherwise in writing to the Line Manager, with reasons, the action to dismiss or impose a lesser penalty.

### Suspension

- 13 In cases of serious or gross misconduct, it may be necessary to suspend the staff member with pay while the disciplinary process continues – eg: where there would be any health and safety risk to the alleged offender or anyone with whom they would come into contact. The Line Manager should keep the suspension period as short as possible and under review. Such suspension does not constitute a disciplinary sanction but it is instigated to protect both the Church and staff member, by not putting the staff member in a position where they breach the Standards of Behaviour again. In all cases where dismissal is appropriate, suspension with pay must be automatic while the Diaconate Staffing Committee confirm the dismissal and the Line Manager prepares the written confirmation of their decision to the staff member.

### Appeals

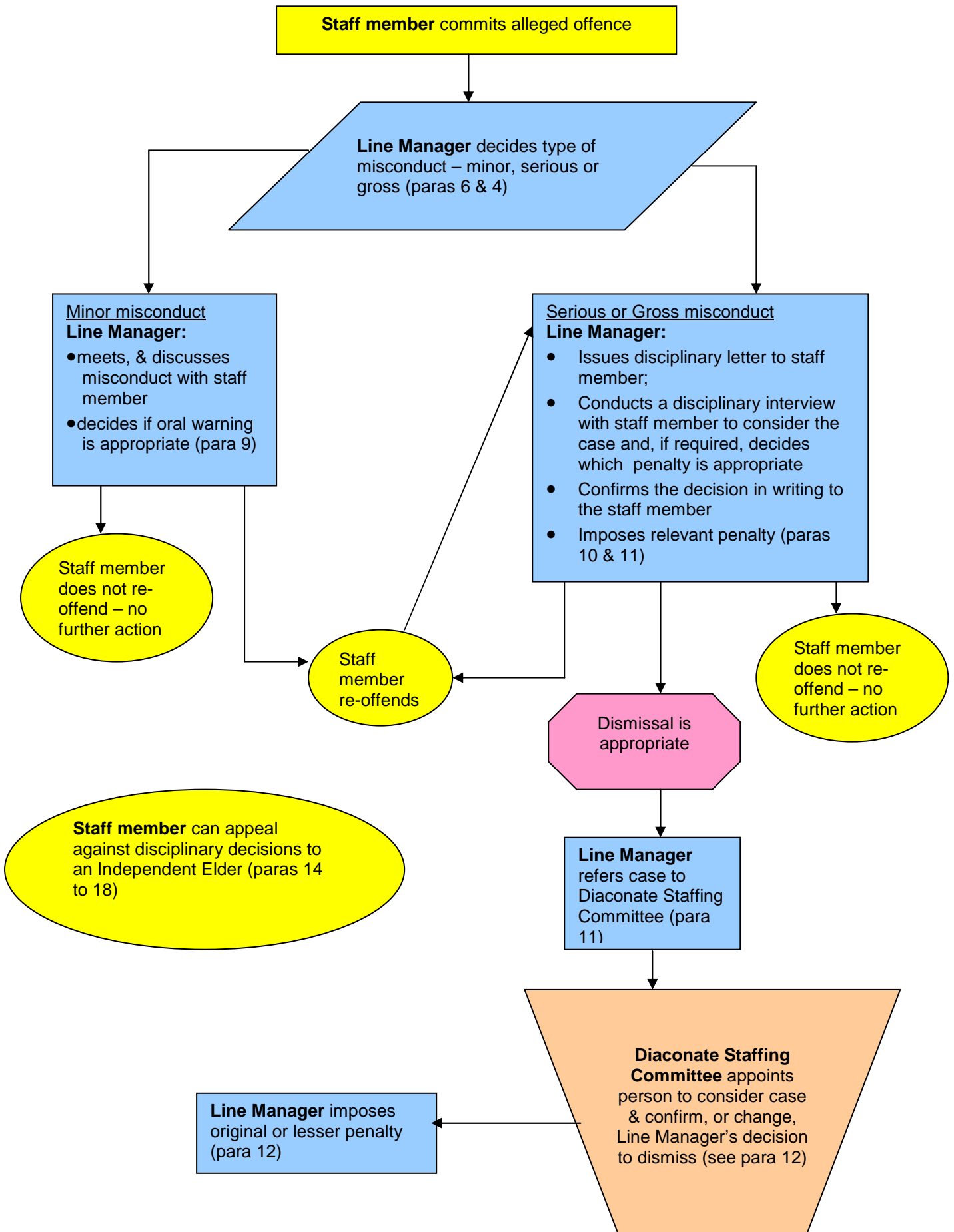
- 14 If a **staff member** is dissatisfied with a disciplinary decision made by their Line Manager (confirmed by the Diaconate Staffing Committee in cases of dismissal), the staff member can appeal in writing to the Elders within 1 week of receiving the written decision from the Line Manager. In their letter of appeal, the staff member must state clear grounds on which the decision should be reviewed and provide any evidence to support their appeal.
- 15 **Staff members** should note that the appeal hearing is not intended to repeat the detailed investigation of the disciplinary interview, but to focus on specific factors which they feel have received insufficient consideration by the Line Manager – eg:
- an inconsistent, inappropriate or excessively harsh penalty;
  - extenuating and mitigating circumstances;
  - bias of the Line Manager;
  - unfairness in the disciplinary interview;
  - new evidence coming to light.
- 16 On receiving the letter of appeal, the **Elders** must appoint one or more of them to be the **Independent Elder(s)** who will consider and decide the appeal – ie someone with the skills to handle the appeal (eg analytical or management skills), and who has not been involved in the disciplinary action or decisions taken so far in the case.

- 17 The ***Independent Elder(s)***:
- must obtain from the Line Manger all the papers relating to the case, and go through them to make sure they have a full understanding of actions and decisions taken;
  - must invite the staff member to the appeal hearing, which should take place within 2 weeks of the date the Elders received the letter of appeal. The letter must also inform them of their right to be accompanied and represented by a work colleague, family member or friend;
  - must consider arranging for an independent person to be present at the interview to take notes;
  - at the appeal hearing, must give the staff member the full opportunity to state the grounds for their appeal and provide any evidence to support their appeal, including any witness statements;
  - should consider adjourning the hearing once all evidence has been heard, to consider the merits of the appeal before making a decision;
  - at the end of the hearing, must inform the staff member of the decision reached and the reasons for it;
  - must confirm the decision, and the reasons for it, in writing to the staff member within one week of the appeal hearing. The letter must make it clear that there is no further right of appeal against the Independent Elder's decision.

Confirming or changing decisions

- 18 The ***Independent Elder*** has the authority to retract or reduce a disciplinary penalty, or in exceptional circumstances, to increase it in accordance with the Church's Disciplinary procedures. In cases where the decision to dismiss is retracted, the Independent Elder(s) can reinstate the staff member's employment. Where an appeal against dismissal fails, the effective date of the termination of employment will be the date on which the staff member was originally dismissed.

Flowchart summarising procedures



## Equal Opportunities and Diversity policy

### Policy

- 1 This Equal Opportunities and Diversity policy:
  - is based on the model produced by the Baptist Union Corporation Limited;
  - complies with Government legislation covering Equal Opportunities and Diversity issues (including the Employment Equality (Age) Regulations 2006).

### Statement of Equal Opportunities and Diversity policy

- 2 The Church is committed to the promotion of equality of opportunity and diversity in all fields of its activity in accordance with this Policy Statement.

### Definitions

- 3 “**Personal Status**” refers to gender, colour, race, nationality or ethnic or national origins, marital status, disability, age or religious belief. “**Discrimination**” is where a person is treated less favorably than another not on the merits of the case but on grounds of “Personal Status”

### Church’s Policy Statement.

- 4 The Church is an equal opportunities employer and will seek to ensure that:
  - 4.1 every applicant for a job, or every employee, shall be given equal opportunity whatever his or her Personal Status, except in a matter of religious belief in any case where the nature of the work is declared and is seen clearly to require a Christian commitment, membership of or links with a Baptist Church, or another Christian church, or sympathy with its aims;
  - 4.2 persons already employed will be made aware of the provisions of this policy;
  - 4.3 the application of any recruitment, training and promotion policies will be solely on the basis of job requirements and the individual’s ability and fitness for that work;
  - 4.4 all persons responsible for the selection, management and promotion of employees will be given information and/or training to enable them to minimise the risk of discrimination;
  - 4.5 appropriate training will be provided to enable employees to perform their jobs effectively;
  - 4.6 encouragement is given to all employees to take advantage of opportunities for training;
  - 4.7 age limits for entry to training are not such as to unnecessarily exclude certain groups of employees (unless there is an objective justification to do so – ie there are overriding reasons where there is no other course of action that can be taken, and the business benefits of taking such action outweigh any possible age discrimination that may take place);

- 4.8 recruitment, literature and advertisements will not imply that there is a preference for one group of applicants as against another unless there is a genuine occupational requirement, which will be clearly stated (see the Church's Vacancy Filling policy and procedure for more on "occupational requirements");
- 4.9 the most effective ways will be employed to bring job vacancies to the attention of potentially disadvantaged groups;
- 4.10 applicants for posts will be given clear, accurate and sufficient information through advertisement, job descriptions and interviews, to enable them to assess their own suitability for a post;
- 4.11 employment policies and procedures are kept under review, in appropriate cases by formal monitoring routines, to ensure that they do not operate against the church's Policy Statement;
- 4.12 where it appears that the church's Policy Statement is not being observed the circumstances will be investigated to see if there are any policies or criteria which exclude or discourage employees and, if so, whether these policies and criteria are justifiable;
- 4.13 appropriate action is taken where necessary to redress the effects of any action, policy or criteria, which are found to have unjustifiably limited the observance of the church's Policy Statement;
- 4.14 particular care is taken to deal with any complaints of discrimination and sexual harassment under the Church's Grievance policy and procedure;
- 4.15 a criminal record is not in itself a bar to being appointed to any post. Only relevant offences will be taken into account when appointing to a post where a Criminal Record Bureau check is required.

## Grievance policy and procedure

### Policy

- 1 This is the Grievance policy and procedures for Battle Baptist Church, which becomes effective from 1 April 2006. These procedures:
  - are based on the 3-stage Grievance procedures recommended by ACAS and used by the Baptist Union;
  - comply with the Employment Act 2002 (Dispute Resolution) Regulations; and
  - must be used for all grievances raised on or after 1 April 2006.
- 2 It is accepted that, from time to time, problems and tensions can arise between people and about issues at work. If such matters are not dealt with and resolved quickly, they may get worse and adversely affect staff relations and the delivery of work.
- 3 This grievance procedure applies to any work-related concern, problem or complaint that an aggrieved staff member raises. The aim of the policy is to ensure that, wherever possible, the majority of disputed decisions will normally be resolved with the “accountable person” (ie line manager) named in the staff member’s contract. However, there may be a small number of grievances, which may proceed further, or which need to be dealt with by another line manager within the Church (eg where the staff member’s complaint concerns their line manager’s behaviour, their working relationship is strained and it would not be sensible for the line manager to deal with the grievance).

With some grievances, the parties involved may ask and agree for a mediator to help them resolve the dispute. Mediation is a voluntary process where the mediator helps the people involved in the grievance to resolve the disagreement. Any agreement comes from those involved in the grievance, not from the mediator who is in charge of the process of seeking to resolve the problem, but not the outcome itself. If the Church does not have staff or volunteers trained in mediation, a mediator can be found from outside of the Church.

- 4 At any of the 3 stages, the aggrieved person has the right to be accompanied at meetings by a friend or colleague of their choice, and this person should be allowed to participate as fully as possible in the process to facilitate resolution. ***For Caterpillar Pre-school staff, any references to Diaconate Staffing Committee should be taken to refer to the Caterpillar Pre-school Management Committee.***
- 5 All records associated with grievances should be treated as confidential and kept no longer than is necessary in accordance with the Data Protection Act 1998.

### Procedures

#### Informal Stage 1

##### *Aggrieved person’s role*

- 1 The aggrieved person must:

- raise their grievance with their line manager within 7 days of the date that the decision, event or other issue arose, which caused the staff member to be aggrieved;
- meet with their line manager within 7 days of the date of the cause of the grievance to discuss and resolve the issue;
- explain the reasons for the grievance, ways to remove its cause, and the reasonable redress that is required.

### *Line manager's role*

2 The line manager must:

- listen to, respect and understand the staff member and their grievance;
- consider and decide the extent to which the grievance is justified;
- leave the staff member fully aware that their grievance has been recognised and, if appropriate, that its causes will be addressed;
- take any practical action to remove the cause of the grievance.

3 If the grievance is resolved at stage 1 there is no further action to take.

### Formal Stage 2

4 This stage is reached if the grievance is not resolved at stage 1 and the aggrieved person wants to pursue their grievance.

### *Aggrieved person's role*

5 The aggrieved person must:

- put their grievance in writing to their line manager within 7 days of the meeting at Informal stage 1;
- set out clear reasons for the grievance, include any supporting evidence, and explain how the cause of the grievance can be removed, and the reasonable redress that is required.

### *Line manager's role*

6 The line manager must:

- invite the aggrieved person to a formal meeting, which should take place within 7 days of receiving their letter;
- consider arranging an independent person be present at the meeting to take notes;

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- at the meeting, listen to what has been said, explore the details, discuss the evidence presented, discuss possible options for resolving the grievance, and explain what happens next;
- consider adjourning the meeting before deciding how to resolve the grievance;
- issue a written decision and copy of the notes taken at the meeting, to the aggrieved person within 7 days of the meeting. The written decision must:
  - record the main points of the discussion and agreement;
  - respond to any points left unresolved at the meeting;
  - explain fully how the decision has been reached and the reasons for it;
  - advise the aggrieved person that, if they disagree with the decision, they can appeal in writing to the Diaconate Staff Sub-committee. There is no right of appeal against their decision.

7 If the grievance is resolved at stage 2, there is no further action to take.

### Appeal Stage 3

8 This stage is reached if the grievance is not resolved at stage 2 and the aggrieved person wants to pursue their grievance.

#### *Aggrieved person role*

9 The aggrieved person must:

- put their grievance in writing to the Diaconate Staff Sub-committee, within 7 days of receiving the written decision from their line manager at stage 2;
- set out clear reasons for continuing their grievance – ie why they disagree with the line manager's decision, including any supporting evidence.

#### *Diaconate Staff Sub-committee role*

10 The Diaconate Staff Sub-committee must appoint a committee member or other independent Deacon or Elder to consider and decide the appeal. Their role is to review the line manager's actions and decision to see whether it they were reasonable, legal and in line with the grievance procedures. The appointed person can only overturn the line manager's decision if they have grounds to do so.

#### *The appointed person role*

11 The appointed person must:

- invite the aggrieved person to a formal meeting, which should take place within 7 days of receiving their letter;
- consider arranging an independent person be present at the meeting to take notes;

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- at the meeting, listen to what has been said, explore the details, discuss the evidence presented, discuss possible options for resolving the grievance, and explain what happens next;
- consider adjourning the meeting before deciding how to resolve the grievance;
- issue a written decision and copy of the notes taken at the meeting, to the aggrieved person within 7 days of the meeting. The written decision must:
  - record the main points of the discussion and agreement;
  - respond to any points left unresolved at the meeting;
  - explain fully how the decision has been reached and the reasons for it;
  - advise the aggrieved person that there is no further right of appeal. This is the end of the grievance process.

## Holiday and Special Leave policy and procedure

### Policy

- 1 All the staff of Battle Baptist Church are entitled to paid holidays every year. Their entitlement to annual leave and public holidays is set out in their contract of employment. The purpose of the paid holiday is to provide an extended period of leisure time during which employees can have a break from work, relax and, therefore, return to their jobs refreshed.

***Appendix 1 to this chapter sets out the Holiday policy and procedure for Caterpillar Pre-school staff as their staff work part-time and term-time. The Special Leave policy and procedure set out below apply to all Church staff. For Caterpillar Pre-school staff, any references to Diaconate Staffing Committee (or Church Treasurer) should be taken to refer to the Caterpillar Pre-school Management Committee (or Pre-school Treasurer).***

### Annual leave

- 2 The Church's leave year runs from 1 January to 31 December for all staff. The leave entitlement for individual staff is stated in their contracts of employment. Entitlement is calculated in days to make it easy to take, record and monitor leave. To make managing leave simple, one week's leave will mean:
  - 6 days for the full-time Senior Pastor;
  - 5 days for all full-time other staff;
  - a pro-rata amount for part-time staff depending on how many days they work in a week (eg 2 days if they work 2 days a week).
- 3 Staff should take the annual leave to which they are entitled, and the person who is named as the "accountable person" in the staff member's employment contract (ie their line manager) should ensure that workloads do not prevent this and also that the needs of the Church are taken into account.
- 4 All staff:
  - must agree annual leave dates with their line manager in advance of the leave being taken;
  - should, unless exceptional and unforeseen circumstances apply, avoid taking leave in the very busy weeks that lead up to and include Christmas and Easter or any other major event in the life of the Church that has been scheduled and planned well in advance (eg major Missions).

### Public holidays

- 5 The Church recognises all public holidays in England and Wales. Wherever possible, staff will be granted these as days of paid holiday in addition to their annual leave entitlement. Clearly, there will be public holidays such as Christmas Day where the Church will require staff to work on those days.
- 6 Staff who are required to work on public holidays will be entitled to the equivalent number of days off in lieu, which are to be taken at a time agreed with their line manager.

- 7 Where staff are ill on a public holiday on which they are not required to work, they will still receive a normal day's pay but no alternative day off will be given.

### Special leave for all staff

- 8 The Church recognises that there may be times when staff need to be absent from work to:
- attend dentist, doctor and hospital appointments; or
  - deal with emergency situations such as bereavement or the need to provide personal care for dependent relatives (eg children or aged parents) who are unexpectedly ill or in hospital.
- 9 In these situations, staff may be granted paid special leave subject to the discretion of their line manager. (See para 13 of the procedures below for the process that staff member and their line manager should follow).

## Procedures

### Annual leave

#### Agreeing annual leave

- 1 Each **staff member** must:
- hold and use a Leave Record Sheet (see **Annex A**) to record requested and taken annual leave;
  - agree annual leave dates with their line manager in advance of the leave being taken. Unless exceptional and unforeseen circumstances apply, all annual leave requests should be submitted at least 1 week before the holiday start date;
  - briefly meet with their line manager to secure the line manager's completion of the Leave Record Sheet;
  - let colleagues know about holiday dates at Staff Meetings so they can be entered on the Events Planning Timetable, maintained by the Church Manager.
- 2 The **line manager** must:
- ensure that staff take their annual leave entitlement while ensuring that the work of the Church is not adversely affected by absences. For example, there must be sufficient staff available in the very busy weeks that lead up to and include Christmas and Easter;
  - ensure that staff keep and update their Leave Record Sheets;
  - authorise annual leave requests by completing Leave Record Sheets for their staff.

#### Disputes

- 3 If a staff member disputes a line manager's decision about annual leave, the staff member can pursue the dispute using the Church's Grievance policy and procedure.

### Withdrawing annual leave

- 4 Once approval for annual holiday has been given it cannot be withdrawn by the line manager. However, there may be occasions when the needs of the Church require the line manager to ask staff to cancel their leave (eg due to a local disaster or at a time of high unexpected leave across the Church staff as a whole). There should be no pressure put on the staff, who need to make their own decision. Every effort will be made to minimise any inconvenience or hardship for the staff if they agree to postpone any planned leave that was due to be taken.
- 5 The Church's right to withdraw its approval of holiday is subject to the provisions of the Working Time Regulations 1998, which stipulate that employees must be allowed to take 4 weeks annual leave. If it becomes apparent towards the end of the holiday year that a staff member has not been given the opportunity to take their minimum statutory entitlement, their line manager must give the staff member the opportunity to take their statutory holiday entitlement before the end of the holiday year.

### Carrying over

- 6 Staff should take all of their annual leave entitlement for the year within the Church's leave year of 1 January to 31 December. No payment in lieu will be made for any annual leave not taken, other than in respect of leave (over and above the statutory entitlement) not taken as a result of the needs of the Church.
- 7 Employees are not allowed to carry forward any unused annual leave to the next year (unless they have obtained their line manager's prior approval, in which case such leave should normally be taken within the first 3 months of the new holiday year).

### New staff

- 8 Where staff join the Church part way through the annual leave year, their entitlement to leave will be proportionate to the amount of time left in the year (with fractions of days rounded up to whole days).

### Illness during holiday

- 9 Staff who are ill during a period of annual leave may apply to have their absence treated as sickness and be credited with their lost days of annual holiday. Each case will be considered on its merits and at the line manager's discretion. Staff must satisfy their line manager that the illness was genuine and must provide a self-certificate (for sickness lasting 7 days or less) or doctor's medical certificate (for sickness lasting for more than 7 days). Days of annual leave lost through sickness may be taken again at a later date as agreed with the line manager.

### Late return from holiday

- 10 If, for any reason, staff know that they will be late returning from holiday they must contact the Church to let them know of their late return as soon as possible. Failure to do so may render the staff liable to disciplinary action for unauthorised absence.

### Ceasing work

- 11 Where staff leave the Church part way through the annual leave year, their entitlement to leave will be proportionate to the amount of time of service in the year (with fractions of days rounded up to whole days). Staff must take this pro-rata leave entitlement before their last day of service.
- 12 In this situation, where staff have taken more than the number of days to which they are entitled, the Church may deduct the appropriate number of days salary from the staff member's final wage.

### **Special leave for all staff**

- 13 The following procedures apply where a staff member asks their line manager for time off to deal with emergency situations such as bereavement or the need to provide personal care for dependent relatives (children or aged parents) who are unexpectedly ill or in hospital.
- 14 **Staff** must discuss the emergency situation with their line manager as soon as they are aware of it either in person, or by phone if the staff member cannot attend work. As soon as is practicable, the staff member should record any special leave that is granted on their Leave Record Sheet.
- 15 On receiving a request for paid special leave from a staff member, the **line manager** must:
  - satisfy themselves that an emergency situation exists for which special leave should be granted;
  - decide whether the special leave should be paid or unpaid;
  - determine the period of the special leave;
  - as soon as is practicable, authorise the special leave on the staff member's Leave Record Sheet;
  - notify the Diaconate Staffing Committee of the situation;
  - keep the situation under review, and formally review the entitlement to paid special leave at two weekly intervals;
  - where the special leave is paid and has lasted for one month, discuss the case with Diaconate Staffing Committee and Church Treasurer to consider and agree whether it may be appropriate for the staff member to move from paid to unpaid special leave;
  - keep in touch with the staff member at regular intervals (with visits as appropriate) and discuss with, and notify, them of any review decisions about their special leave.

- 16 Line managers must also ensure that there is a consistency with the decisions made on special leave requests from different staff to ensure that everyone is treated fairly.

### Disputes

- 17 If a staff member disputes a line manager's decision about special leave, the staff member can pursue the dispute using the Church's Grievance policy and procedure.

### ***Appendix 1 - Holiday policy and procedure for Caterpillar Pre-school staff***

#### **Policy**

##### Annual Leave

- 18 Employment at Caterpillar Pre-school is on a term-time basis and excludes school holidays. Staff will be expected to take holidays during the periods that the Caterpillar Pre-school does not operate - ie school holidays, dates of which are published at least a year in advance. Under employment law, part-time staff are entitled to 4 weeks paid holiday per year, which comes into effect once staff have completed 13 weeks of continuous service. (One week is usually paid at Christmas, one week at Spring/Easter holiday time, and two weeks for the summer holiday.)
- 19 In exceptional circumstances, it may be possible to take leave during term-time, provided that the Caterpillar Pre-school is able to secure adequate staff cover. This will be at the discretion of the Supervisor and Caterpillar Management Committee, who will look at each case individually.

##### Public holidays

- 20 The pre-school is closed on public holidays.

#### **Procedures**

- 21 The procedures to follow when dealing with:
- ***Disputes*** – are the same as those procedures for all other staff at para 3 above;
  - ***Withdrawing annual leave*** – are the same as those procedures for all other staff at paras 4 and 5 above;
  - ***Late return from holiday*** - are the same as those procedures for all other staff at para 10 above.



## **Pay and Expenses policy**

***Paragraphs 1 to 8 apply to all staff except for Caterpillar Pre-school staff***

### **Pay**

#### Annual salaries

- 1 The Church Treasurer determines annual salaries for staff based on the Church's financial position and with reference to a Church survey comprising pay comparisons across Churches of a similar size to Battle Baptist Church.

#### Overtime

- 2 There is no provision for overtime within the Church's staffing budget. Subject to agreement with their line manager (ie the person to whom they are accountable as named in their employment contract), staff have the flexibility to accrue hours and days to use for extra leave instead of pay in line with the Church's Holiday and Special Leave Policy and Procedures.

#### Sick pay

- 3 Staff are entitled to the benefit of the Statutory Sick Pay scheme. Any other pay during service is at the discretion of the church – eg: as at April 2006, staff were permitted full pay for the first 3 months of sick absence followed by and half pay for the next 3 months of sick absence. The Church claims back Statutory Sick Pay from the state while paying staff wages. The Statutory Sick Pay is payable for 28 weeks and it is held by the Church as a contribution towards staff pay during the period of sickness.

### **Expenses**

- 4 Staff should claim all the expenses below monthly, by completion of the appropriate Expense Claim Form, which should be authorised by the Church Treasurer, prior to payment.

#### Travel

- 5 The Church will also reimburse other reasonable expenses incurred in the execution of staff duties, including an amount per mile (as approved by the Church Treasurer in line with Inland Revenue recommendations) when staff use their own car for Church business.

#### Telephone

- 6 The church will reimburse the cost of telephone calls used on Church business, including the cost of VAT.

### Immediately available money

- 7 Following discussion with each other, the Senior Pastor and Church Manager are authorised to spend up to £250 for immediate use at their discretion.

### Pensions

- 8 There is no pension scheme operated by the church in respect of employment of the staff. Staff can make pension arrangements under the provision of the Stakeholders Pension scheme. Subject to its financial position, the Church can agree to meet the employer's contribution relating to any personal pension staff decide to take out with a Pension company. Covenanted persons with the Baptist Union (eg Ministers) can make pension arrangements with the Baptist Union Pension scheme.

### ***Paragraphs 9 to 11 apply to Caterpillar Pre-school staff***

### Annual Salaries

- 9 The Caterpillar Management Committee determines the hourly rate of pay for staff at Caterpillar Pre-school. Pay is made on a weekly or monthly basis by arrangement with the individual member of staff.

### Overtime

- 10 There is no provision for overtime within the pre-school budget.

### Sick pay

- 11 Statutory Sick Pay will be operated where applicable but otherwise there is no provision for pay due to absence from work due to illness (or any other cause).

## Sick Absence policy and procedure

### Policy

- 1 Battle Baptist Church aims to secure the attendance of all its staff throughout the working week. However, the Church recognises that a certain level of absence may be necessary due to sickness. It is the Church's policy to offer security of employment during such periods. However, this is subject to the need to progress God's work and sufficient Church finances being available to support the absence.

### Rights and responsibilities of the Church

- 2 This policy recognises that:
  - staff should not be expected to attend work while unfit to do so;
  - the best way to manage sick absence is within a safe and healthy environment where there is mutual trust and confidence between all staff, and which enables open discussion and support in relation to sickness absence and its causes;
  - sick absence rates are lower where the responsibility for securing staff attendance at work lies with the line manager (ie the person named as the "accountable person in a staff member's contract of employment");
  - sick absence records are sensitive personal data under the Data Protection Act, so a staff member's consent must be obtained when using the records to manage the sick absence;
  - employment conditions are often the main cause of sick absences – ie accidents and workplace stress. The Church should take reasonable steps to remedy the cause and prevent recurrence when sick absence is due to a workplace problem;
  - all staff need to understand the Church's Sick absence policy and procedures;
  - the Church can require a staff member to complete a self-certificate form for absences up to 7 calendar days, or to obtain a medical certificate from their Doctor and send it to their line manager if the absence is longer;
  - if the Church requires medical opinion from the staff member's Doctor, an appropriate consent form will need to be signed by the staff member for the Church to see the report;
  - the Church will request details from Doctors about the state of health of staff members only when that information is considered essential for employment purposes. The Church will explain fully to the staff member the reasons for the request. When applying to the Doctor for a report, the Church will clearly explain the main features of the individual's work and the reasons why the report is required;

- a return to work interview demonstrates support to the staff member, discourages sick absence, and should be used to identify what causes the absence;
- if staff meet the definition of being disabled as used in the Disability Discrimination Act 1995, they have employment protection under certain circumstances.

### Rights of staff

#### 3 Staff have a right to:

- payment of statutory sick pay, provided they are absent from work due to genuine sickness;
- a safe workplace and privacy, and to a relationship of trust and confidence with the Church as an employer;
- “reasonable adjustments” in the workplace if they are disabled, to enable them to overcome any substantial disadvantage they would otherwise experience in the course of their work;
- see any medical reports, relating to them, submitted to the Church by Doctors;
- withhold consent for their line manager to seek a medical report from their Doctor, or to refuse to allow a Doctor’s report to be released to the line manager. However, the staff member must be aware that decisions made about their employment will be based only on available information and may be affected by the Church’s inability to obtain a report;
- pursue a dispute about a line manager’s action or decision in relation to managing sick absence via the Church’s Grievance policy and procedures unless the decision involves dismissal. In cases of dismissal, the staff member has a right of appeal against the decision to dismiss to an independent Elder who has had no involvement in the case.

### Responsibilities of staff

#### 4 Staff must:

- take responsibility for the management of their own absences;
- contact their line manager to report absence to their line manager within one hour of their normal start time;
- to qualify for statutory sick pay, submit to their line manager a self-certificate for the first seven days, and a medical certificate for longer periods, of sickness absence;
- attend a “return to work” interview after a period of sick leave.

5 A staff member who fails to comply with notification or certification procedures, or who otherwise abuses the Church’s sick absence policy and procedures will be dealt with under the Church’s Disciplinary policy and procedures. **For Caterpillar**

***Pre-school staff, any references to Diaconate Staffing Committee should be taken to refer to the Caterpillar Pre-school Management Committee.***

## Procedures

### First day of absence

- 1 On the first day of absence, the **staff member** must telephone their line manager within one hour of their normal start time to: give the reason for their absence; a contact number; and details of any work issues that need attending to in their absence.
- 2 The **line manager** should note down the information given by the staff member in their diary (ie in the entry for the relevant day).

### Returning to work

- 3 If the **staff member** returns to work within 7 days of absence, they must complete a self-certificate and their individual Sick Absence Record sheet (see **Annex A**) in the presence of the line manager at the “back to work” interview. This is a rolling record of sick absence, which is not tied to a particular year (as with leave records). Self-certificates are available from a Doctor’s surgery or Post Office. If the staff member’s absence has lasted for longer than 7 days, they must have forwarded a medical certificate to their line manager.
- 4 On the day that the staff member returns to work following the sick absence, the **line manager** must meet privately with the staff member to carry out a “back to work” interview. The line manager must:
  - warmly welcome the staff member back and assure them that they were missed;
  - identify the causes for the sickness and anything that the staff member, Church or line manager can do to prevent the sickness from re-occurring;
  - complete their part of the staff member’s Sick Absence Record sheet.
- 5 If the staff member’s sick absence record is not a cause for concern, then the line manager has no need to take any further action. However, the staff member’s sick absence record:
  - is significantly worse than those of comparable staff; or
  - creates a particular operational difficulty; or
  - has gone on for a month .....the **line manager** should follow the guidance in paragraphs 6 to 11 below.

### Managing poor attendance

- 6 Where the staff member’s sick absence record is causing concern, the **line manager** should meet with the staff member to start to address all the issues relating to the absence. The staff member may be accompanied by a colleague, family member or friend if they so wish. The line manager can consider arranging for an independent person to be present at the interview to take notes.

### *Persistent short term absence*

- 7 If the staff member's absence involves frequent and persistent short term absence, after the "back to work" interview, the **line manager** should use a separate interview to:
- identify the frequency and reason for the absences and ensure that the staff member is aware that the absence record is giving cause for concern;
  - advise the staff to seek proper medical attention if there is an underlying medical problem. A medical report could be requested from the staff member's Doctor, if appropriate;
  - in cases where the staff member is disabled within the meaning of the Disability Discrimination Act 1995, identify the reasonable adjustments that could be made to the staff member's job to accommodate their workplace needs;
  - inform the staff member that the persistent short term absences may no longer be supported;
  - give consideration to the staff member's personal problems and possible ways of helping the staff member resolve them;
  - agree a reasonable period of time over which the staff member's attendance can be assessed (eg 6 months);
  - indicate that if this level of sick absence persists, the Church may have to take further action set out in paragraph 10 below.

### *Long-term absence*

- 8 If the staff member is on a long term absence, the **line manager** should keep in regular contact with the staff member. At the end of the first month of long term absence, the **line manager** should visit the staff member at home and interview them to:
- seek to establish the reasons for absence and its likely duration;
  - ask the staff member to allow the Church to contact their Doctor to establish the likely length of absence and the long term effect on capability in relation to job performance and attendance at work;
  - identify any action that the Church can take to enable the staff member to return to work – eg the Church could offer alternative work or a shorter working week to ease the staff member back to work;
  - in cases where the staff member is disabled within the meaning of the Disability Discrimination Act 1995, identify the reasonable adjustments that could be made to the staff member's job to accommodate their workplace needs;

- inform the staff member that long-term absence due to ill health may put the employment at risk, bearing in mind the needs and financial position of the Church at that time;
  - set a date at which further action will be considered if the staff member is still unable to return to work (eg at the end of 2 months of absence).
- 9 Following the interview in paragraphs 7 or 8 above, the **line manager** must write and hand a letter to the staff member confirming: the facts; the action to be taken; and specifying what will happen if attendance is not improved (see paragraph 10 below).

### *Attendance does not improve*

- 10 If the staff member's attendance record does not improve by the end of the review period agreed or set at the interview described in paragraphs 7 or 8 above, **the line manager** must:
- either decide to support the staff member and set a further review period if the line manager has reasonable grounds to believe that there will be an improvement in the staff member's sick absence record in the foreseeable future;
  - or decide to dismiss the staff member due to the staff member's lack of capability. The decision will need to be confirmed by the Diaconate Staffing Committee.
- 11 In both cases, the **line manager** must conduct an interview in line with paragraphs 7 or 8 above, and write to the staff member in line with paragraph 10 above. In dismissal cases, the line manager must:
- explain the reasons why the decision to dismiss has been made; and
  - advise the staff member that the decision needs to be confirmed by the Diaconate Staffing Committee before dismissal actually occurs; and also
  - advise the staff member of their right of appeal against a final decision to dismiss to an independent Elder.

### *Dismissal*

- 12 In dismissal cases, within 1 week of the interview at paragraph 11 above, the **line manager** must refer all the papers relating to the case to the Diaconate Staffing Committee to confirm that dismissal is the right decision to take.

### *Role of the Diaconate Staffing Committee*

- 13 Within 1 week of receiving the case papers from the line manager, the **Diaconate Staffing Committee** must appoint one of their members to:
- review the paperwork associated with the case; and
  - taking into account the staff member's sick absence record and any mitigating circumstances, confirm the action to dismiss or, alternatively, decide to continue to review the case to allow time for improvement; and
  - write to the line manager with their decision and reasons for it.

### *Appeals*

- 14 If a **staff member** is dissatisfied with the line manager's decision to dismiss (as confirmed by the Diaconate Staffing Committee), the staff member can appeal in writing to the Elders within 1 week of receiving the written decision from the line manager. In their letter of appeal, the staff member must state clear grounds on which the decision should be reviewed and provide any evidence to support their appeal.
- 15 **Staff members** should note that the appeal hearing is not intended to repeat the detailed investigation of the managing sick absence interviews, but to focus on specific factors which they feel have received insufficient consideration by the line manager – eg:
- an inconsistent, inappropriate or unreasonable decision;
  - extenuating and mitigating circumstances;
  - bias of the line manager;
  - unfairness in the managing sick absence interviews;
  - new evidence coming to light.

### *Role of Elders*

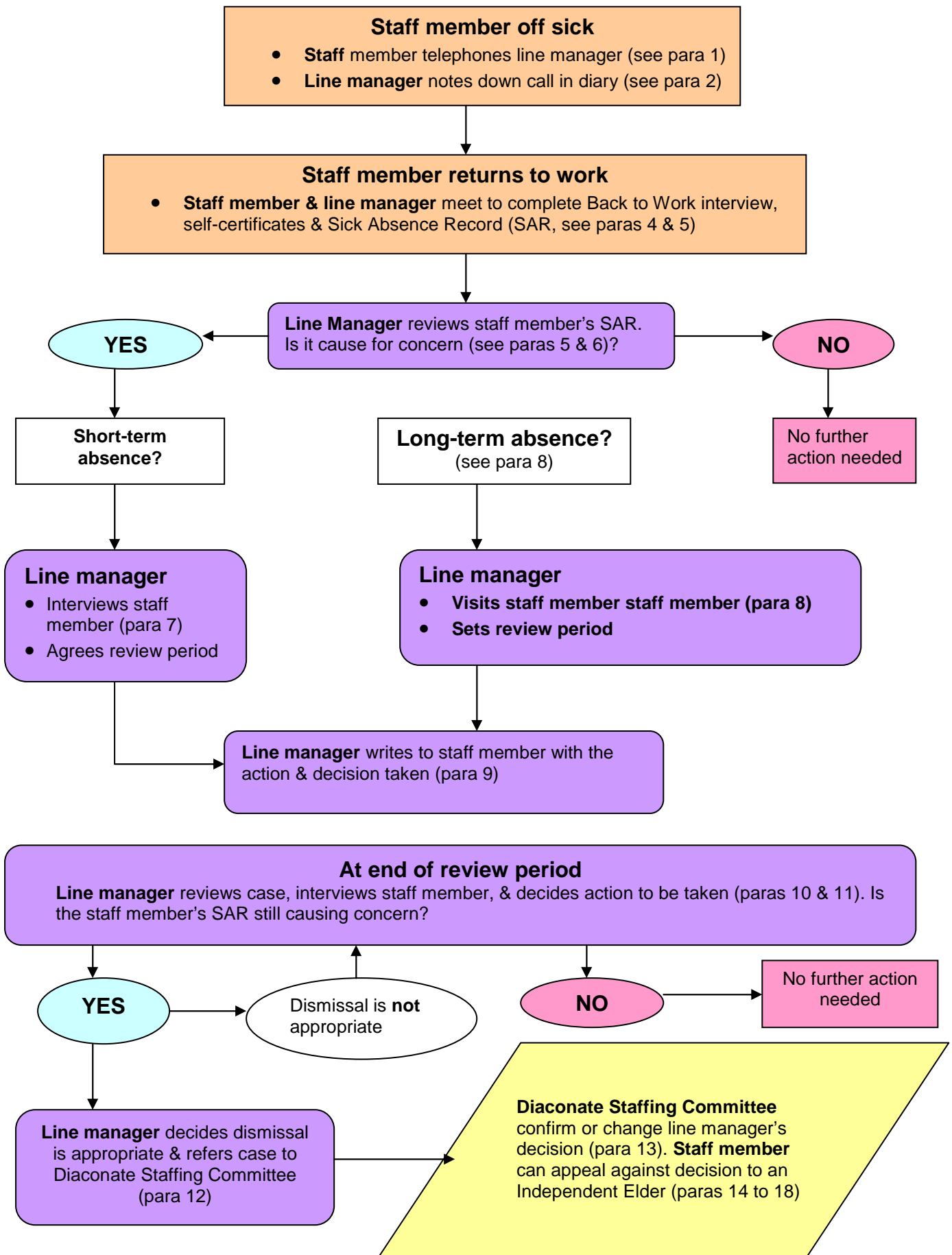
- 16 On receiving the letter of appeal, the **Elders** must appoint one or more of them to be the **Independent Elder(s)** who will consider and decide the appeal – ie someone with the skills to handle the appeal (eg analytical or management skills), and who has not been involved in the action or decisions taken so far in the case.
- 17 The **Independent Elder(s)**:
- must obtain from the line manager all the papers relating to the case, and go through them to make sure they have a full understanding of actions and decisions taken;
  - must invite the staff member to the appeal hearing, which should take place within 2 weeks of the date the Elders received the letter of appeal. The letter must also inform them of their right to be accompanied and represented by a work colleague, family member or friend;
  - can consider arranging for an independent person to be present at the interview to take notes;
  - at the appeal hearing, must give the staff member the full opportunity to state the grounds for their appeal and provide any evidence to support their appeal;
  - should consider adjourning the hearing once all evidence has been heard, to consider the merits of the appeal before making a decision;
  - at the end of the hearing, must inform the staff member of the decision reached and the reasons for it;
  - must confirm the decision, and the reasons for it, in writing to the staff member within one week of the appeal hearing. The letter must make it clear that there is no further right of appeal against the Independent Elder's decision.

*Confirming or changing decisions*

- 18 The ***Independent Elder*** has the authority to retract the dismissal or, alternatively, decide to continue to review the case to allow time for improvement in the staff member's sick absence record. In cases where the decision to dismiss is retracted, the Independent Elder can reinstate the staff member's employment. Where an appeal against dismissal fails, the effective date of the termination of employment will be the date on which the staff member was originally dismissed.
- 19 A flowchart summarising the above procedures is set out at **Annex B**.



Flowchart summarising procedures



## Staff Development policy and procedure

### Policy

#### Staff Development System

- 1 This policy and procedure sets out the Church's Staff Development System (SDS). It is designed to be a valuable tool that helps the management, motivation and development of our staff and ensures that each staff member knows what is expected of them. This will only happen if there is a continuous commitment by all staff to playing a full and active role in the SDS.

#### Objectives

- 2 The basis of the system is for everyone to agree clear and measurable objectives, which will benefit the Church and its staff by:
  - clearly identifying what objectives each staff member needs to achieve to contribute towards the Church's Work Programme for the year (**for Caterpillar Pre-school staff, this will be towards the delivery of the OFSTED curriculum**);
  - accurately assessing how well staff have achieved their objectives;
  - identifying and meeting the training and development needs of staff to enable them to achieve their objectives;
  - discovering the potential of staff, both present and future, and how to develop and harness that potential to fulfil the Church's Mission and Vision to 2020.
- 3 Each **staff member** will have:
  - their progress against their objectives appraised by their line manager (ie the person named as their "accountable person" in their contract of employment) on an ongoing basis throughout the review year, which runs from 1 January to 31 December. Any shorter period that starts after 1 January will still end on 31 December;
  - at the end of the year, a formal meeting to review progress against their objectives with their line manager;
  - an end of year document that summarises the outcome of the meeting and forms the basis for action to be taken for the forthcoming year – ie the new objectives to be agreed, and training and development needs to be addressed.

#### Training

- 4 Training will be provided to all staff members and line managers before the staff member's end of year review meeting.

### New staff members

- 5 New staff members will be appraised in their sixth month of employment, and thereafter on an annual basis which coincides with the Church's review year.

### Poor performance

- 6 It is the Church's policy to provide support to any staff member who does not meet the standards of the job for which they were employed, or who is failing to achieve their objectives, or who is not coping adequately with the pressures of the job, the volume of work or any other aspect of his or her employment.
- 7 Any staff member who is experiencing such difficulties will be offered whatever support is felt by the Church to be appropriate including training, coaching, mentoring, supervisory guidance, referral for advice, medical treatment, counseling and/or time off work.
- 8 No inefficiency action will be taken against a staff member whose performance has fallen below the standards that are regarded as satisfactory until the Poor Performance procedures in paragraphs 17 to 19 below have been exhausted. In contrast, where a staff member's poor job performance is clearly due to their own lack of effort, carelessness or negligence, the issue will be dealt with under the inefficiency procedures in paragraphs 20 to 35 below .

## Procedures

### Start of the year

#### *Agreeing Objectives*

- 1 At the start of the SDS year, or when the staff member starts work, the **staff member** and their **line manager** should meet to agree 3 objectives for the year that the staff member needs to achieve in their job to contribute towards the work programme for the year and facilitate personal development.
- 2 The 3 objectives should be **SMART** - ie:
  - **Specific** - so staff know exactly what they are aiming to achieve;
  - **Measurable**. - so staff can know whether the objectives have been achieved;
  - **Agreed** – so that staff are committed to owning and achieving their objectives;
  - **Realistic** – so the objectives are challenging and within the staff member's control to help them develop;
  - **Timebound** – so the objectives include a deadline by which they are to be achieved.
- 4 Objective setting is a skill, which needs practice. When defining objectives, it usually involves a step-by-step process, gradually bringing them into sharper focus, by asking questions such as:
  - "What are the key priorities in this job for this year?"
  - "How can we measure the objective?"
  - "How will we know if it has been achieved?"
  - "When does it need to be completed?"

- 5 Examples of a SMART objective are:  
*“By 31 December 2007, to start a new congregation at 4 pm on a Sunday that has: a clear purpose and teaching programme; and a leadership team that organises and delivers the weekly services;”*

*or for Pre-school staff:*

*“By July 2007, visit the Church Kindergarten in Ghimbav, Romania to help them deliver the education and care, and identify how we provide help to the Kindergarten in the future.”*

- 6 **Staff members:**
- must record their objectives at **Part 2** of their **Staff Development Plan** (see **Annex A**), having first completed the personal details at **Part 1**;
  - keep a copy of their objectives easily visible at all times as a constant reminder of the key job priorities that they need to focus on.

### *Agreeing training and development needs*

- 7 Shortly after the agreement of objectives, the **staff member** should meet with their **line manager** to:
- identify their training and development needs and ways to address them;
  - complete their Personal training plan at **Part 4** of their Staff Development Plan.
- 8 Training and development needs should always be linked to the achievement of the staff member’s objectives and the delivery of the Church Work Programme. This will ensure that the Church uses its annual training budget wisely.
- 9 The process by which the Elders determine whether and how to financially support the training and development needs of staff (and Church Members) is set out at **Annex B**.

### During the year – Ongoing Review

- 10 During the year, **line managers** should do everything practicable to support their staff to meet objectives and identify and address training and development needs – eg by:
- giving regular coaching and feedback about progress;
  - personally providing training and development, or identifying opportunities and allowing time for staff to train and develop.
- 11 The **staff member** and their **line manager** should review the staff member’s:
- progress against their objectives as part of the normal day-to-day communication between colleagues and management of work;
  - objectives as they may need revising if circumstances change – eg due to changes in the Church’s Work Programme for the year;
  - Personal training plan if changes are needed to their training and development needs or ways to address them.

### End of the year

#### *Review meeting*

- 12 At the end of the year the **staff member** and their **line manager** must meet to:
- review and discuss whether and how the staff member achieved their objectives;
  - complete staff member's Staff Development Plan;
  - agree objectives and the Personal training plan for the forthcoming year.

#### *Preparation*

- 13 The **staff member** and **line manager** can prepare for the review meeting using and annotating a copy of the staff member's Staff Development Plan. It may help both parties to prepare if they consider the answers to the following questions:
- "What have been the staff member's major achievements over the last year?"
  - "What have been the staff member's major disappointments or frustrations over the last year?"
  - "Which of the staff member's skills and abilities have they not been able to use?"
  - "What could the line manager do more of, or less of, to support the staff member?"
  - "How can you overcome obstacles, which prevent us in achieving our objectives?"
  - "What objectives are appropriate for the staff member for the next year?"
  - "What training and development will assist the staff member to achieve these objectives?"
- 14 All end of year review meetings should take place in private and have no interruptions.

#### *Completing the Staff Development Plan*

- 15 Following the end of year review meeting, the **staff member** should draft **Part 3** (Summary of end of year review meeting) and then agree the content with their line manager before they both sign and date the Plan under **Part 3**. The completion of the Staff Development Plan is self-explanatory; there are notes under each Part heading to help staff members and line managers complete the Plan. Once the Plan is fully completed, the staff member should keep the original and give a copy to their line manager.
- 16 Finally, the **staff member** needs to record their new objectives and Personal training plan at **Parts 2** and **4** of a new Staff Development Plan for the forthcoming year, and so the process goes on.

### Poor performance

#### *Informal action*

- 17 **Staff members** should approach their line manager if they feel that they are not coping adequately with any aspect of their job. No staff member will be penalised

for disclosing this sort of concern and the line manager will take every reasonable measure to support to the staff member to cope and succeed with their job.

- 18 Where the **line manager** first establishes that a staff member is struggling with their job, they should hold an informal discussion with the staff member to establish the reasons why. Should this discussion result in a decision that the staff member's objectives are not reasonably attainable, the objectives will be reviewed and revised.
- 19 Should this informal discussion establish that the performance problems are related to the staff member's personal life, the line manager should provide the necessary support. However, if it becomes apparent that the poor performance constitutes misconduct, the line manager may need to handle the issue under the Church's Discipline policy and procedure.

### *Formal action*

- 20 At the end of the informal meeting the line manager should set a review period to allow the staff member to improve (eg 2 months). Should the staff member show insufficient improvement by the end of the review period, a formal interview will be arranged between the staff member and the line manager. The **staff member** may be accompanied by a colleague, family member or friend if they so wish. The **line manager** can consider arranging for an independent person to be present at the interview to take notes.
- 21 Before the interview is held, the **line manager** should write to the staff member:
- setting out the causes for concern about the staff member's performance and the evidence for this concern;
  - advising the staff member that they have the right to be accompanied in line with paragraph 20 above.
- 22 At the interview the **line manager** should:
- explain clearly the shortfall between the staff member's performance and the required standard;
  - obtain the staff member's commitment to reaching that standard;
  - invite the staff member to explain their apparent lack of capability, listen carefully to any representations made and take all the points raised by the staff member seriously;
  - check whether the job duties, standards of work, deadlines, priorities, etc have been fully and clearly explained to the staff member;
  - identify the cause(s) of the poor performance and to determine what (if any) remedial action can be taken.
- 23 If it is established that the staff member's problem is:

- rooted in lack of knowledge, skill or training, the **line manager** should devise a Personal Training Plan with the staff member to remedy this through the provision of training, coaching or mentoring;
- poor management, poor procedures, difficult working relationships or some other workplace factor outside the staff member's control, the **line manager** should take the appropriate steps to investigate and resolve the issue;
- health-related, the **line manager** should seek the staff member's consent to obtain a medical report from their Doctor (see the Church's Sick Absence policy and procedure for guidance about obtaining medical reports). If the staff member has a disability that affects their performance, the **line manager** should consider what reasonable adjustments can be made to the staff member's job under the Disability Discrimination Act 1995 – eg: a specialist keyboard would count as a reasonable adjustment for a disabled staff member who is unable to use a conventional keyboard;
- due to family or personal difficulties, the **line manager** should consider whether it would be appropriate and/or beneficial for the staff member to be offered counseling or time off work;
- that the volume or type of work is causing the staff member to become stressed, the **line manager** should consider what can be done to reduce or reorganise the staff member's workload in such a way as to reduce the amount of stress that the staff member is experiencing to a manageable level.

24 At the end of the interview the **line manager** should:

- set a reasonable period for the staff member to reach the standard (eg 2 months) and agree on a monitoring system during that period; and
- tell the staff member what will happen if that standard is not met (see paragraph 26 below).

25 Following the interview, the **line manager** should write to the staff member with the outcome of the meeting.

### *Performance does not improve*

26 If the staff member's performance does not improve by the end of the second review period set at the interview described in paragraph 24 above, **the line manager** must:

- either decide to support the staff member and set a further review period if there has been some improvement in the staff member's performance and the line manager has reasonable grounds to believe that there will be sustained improvement in the foreseeable future;
- or decide to dismiss the staff member due to the staff member's lack of capability. The decision will need to be confirmed by the Diaconate Staffing Committee.

- 27 In both cases, the **line manager** must write to the staff member, and conduct an interview, in line with paragraphs 21 to 25 above. In dismissal cases, the line manager must:
- explain the reasons why the decision to dismiss has been made; and
  - advise the staff member that the decision needs to be confirmed by the Diaconate Staffing Committee before dismissal actually occurs; and also
  - advise the staff member of their right of appeal against a final decision to dismiss to an independent Elder.

### *Dismissal*

- 28 In dismissal cases, within 1 week of the interview at paragraph 27 above, the **line manager** must refer all the papers relating to the case to the Diaconate Staffing Committee to confirm that dismissal is the right decision to take.

### *Role of the Diaconate Staffing Committee*

- 29 Within 1 week of receiving the case papers from the line manager, the **Diaconate Staffing Committee** must appoint one of their members to:
- review the paperwork associated with the case; and
  - taking into account the staff member's performance record and any mitigating circumstances, confirm the action to dismiss or, alternatively, decide to continue to review the case to allow time for improvement; and
  - write to the line manager with their decision and reasons for it.

### *Appeals*

- 30 If a **staff member** is dissatisfied with the line manager's decision to dismiss (as confirmed by the Diaconate Staffing Committee), the staff member can appeal in writing to the Elders within 1 week of receiving the written decision from the line manager. In their letter of appeal, the staff member must state clear grounds on which the decision should be reviewed and provide any evidence to support their appeal.
- 31 **Staff members** should note that the appeal hearing is not intended to repeat the detailed investigation of the managing poor performance interviews, but to focus on specific factors which they feel have received insufficient consideration by the line manager – eg:
- an inconsistent, inappropriate or unreasonable decision;
  - extenuating and mitigating circumstances;
  - bias of the line manager;
  - unfairness in the interviews;
  - new evidence coming to light.

### *Role of Elders*

- 32 On receiving the letter of appeal, the **Elders** must appoint one or more of them to be the **Independent Elder(s)** who will consider and decide the appeal – ie someone with the skills to handle the appeal (eg analytical or management skills), and who has not been involved in the action or decisions taken so far in the case.

- 33 The ***Independent Elder(s)***:
- must obtain from the line manger all the papers relating to the case, and go through them to make sure they have a full understanding of actions and decisions taken;
  - must invite the staff member to the appeal hearing, which should take place within 2 weeks of the date the Elders received the letter of appeal. The letter must also inform them of their right to be accompanied and represented by a work colleague, family member or friend;
  - can consider arranging for an independent person to be present at the interview to take notes;
  - at the appeal hearing, must give the staff member the full opportunity to state the grounds for their appeal and provide any evidence to support their appeal;
  - should consider adjourning the hearing once all evidence has been heard, to consider the merits of the appeal before making a decision;
  - at the end of the hearing, must inform the staff member of the decision reached and the reasons for it;
  - must confirm the decision, and the reasons for it, in writing to the staff member within one week of the appeal hearing. The letter must make it clear that there is no further right of appeal against the Independent Elder's decision.

*Confirming or changing decisions*

- 34 The ***Independent Elder*** has the authority to retract the dismissal or, alternatively, decide to continue to review the case to allow time for improvement in the staff member's performance. In cases where the decision to dismiss is retracted, the Independent Elder can reinstate the staff member's employment. Where an appeal against dismissal fails, the effective date of the termination of employment will be the date on which the staff member was originally dismissed.
- 35 A flowchart summarising the above procedures is set out at **Annex C**.

**CONFIDENTIAL  
Staff Development Plan**

**Part 1 – Your personal details**

At the start of the year - enter these details

<b>Name</b>	
<b>Job Title</b>	
<b>Review Year</b>	

**Part 2 – Your 3 objectives for the year**

At the start of the year – enter your objectives

At the end of the year – discuss and agree your achievement of the objectives with your line manager and put a tick in the relevant box

	<b>Objective</b>	<b>Achieved</b>	<b>Not achieved</b>
1			
2			
3			

**Part 3 - Summary of end of year review meeting**

Use the box below to summarise the key points from the discussion between you and your line manager (eg: what have been your main achievements; what are your strengths and areas for development; what can you and your line manager do to develop you further?)

<b>Signed</b>	<b>Staff member's name</b>		<b>Date</b>	
<b>Signed</b>	<b>Line manager's name</b>		<b>Date</b>	

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**Part 4 - Personal Training Plan for the period ..... to .....**

**Name:**

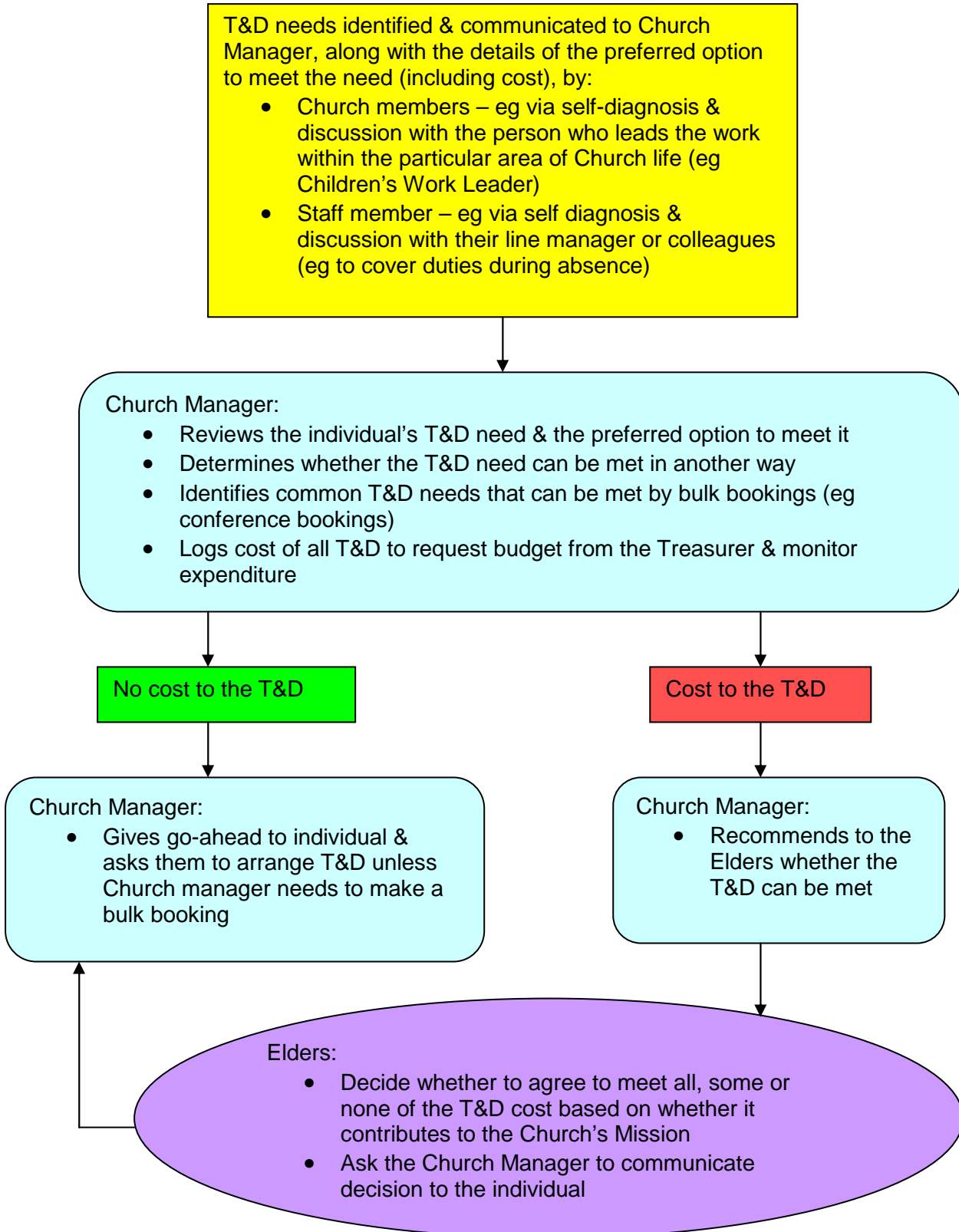
At the start of the year – discuss your training and development needs, and how you are going to address them, with your line manager and enter details in the table below.

	<b>What training do you need and why?</b>	<b>How is this training going to be delivered?</b>	<b>When is this training due to take place?</b>	<b>Cost of training?</b>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				

**Staff members** - Once the Staff Development Plan is completed, hold onto the original and give your line manager a copy.

Training and Development Flowchart

This sets out the process by which Staff (and Church Members) can identify and address their training and development (T&D) needs.



Flowchart with the Staff Development process

Start of the review year (1 January) or employment

**Staff member and line manager:**

- agree staff member’s 3 objectives (paras 1 to 5)
- identify staff member’s training & development needs & ways to address them (paras 7 & 8)
- complete Parts 1, 2 & 4 of the staff member’s Staff Development Plan (paras 6 & 7)

During the review year

**Staff member and line manager:**

- work together to help the staff member achieve their objectives (para 10)
- review progress & update objectives & training & development needs, if appropriate (para 11)
- ensure training & development needs are addressed (para 10 & Annex B)
- review progress of new staff members at 6 month stage

**Staff member or line manager have concerns about the staff member’s progress**

**Staff member’s progress is fine**

Follow the Poor Performance procedures (paras 17 to 35)

At the end of the review year (31 December)

**Staff member and line manager:**

- prepare for the end of year review meeting (para 13)
- meet to review the staff member’s achievement of objectives (para 13)
- complete the staff member’s Staff Development Plan (para 15)
- agree new objectives & Personal training plan for the staff member for the new year (para 16)
- both hold copies of the Staff Development Plan (para 15)

## Dealing with allegations of child abuse

### Policy

- 1 This policy complies with the Government’s guidance on handling allegations of abuse made against people who work with children, which is set out in the Department for Education and Skills booklet entitled “Safeguarding children in education: Dealing with allegations of abuse against teachers and other staff (November 2005)”. This is available on the web via [www.teachernet.gov.uk/childprotection/](http://www.teachernet.gov.uk/childprotection/).
- 2 The guidance primarily applies to Caterpillar Pre-school staff, but it can also apply to other Church staff as well as volunteers who work with children. Following this policy and procedure may identify that a person is unsuitable to continue to work with children in their present position, or in any capacity.
- 3 This policy and procedure should be used in all cases in which it is alleged that a person has:
  - behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child; or
  - behaved towards a child or children in a way that indicates the person is unsuitable to work with children.
- 4 The fact that a person tenders his or her resignation, or ceases to provide their voluntary help, must not prevent an allegation being followed up in accordance with this policy and procedure. References to the Caterpillar Pre-school Management Committee can be read as the Diaconate Staffing Committee for other church staff.
- 5 There may be up to 3 strands involved in considering an allegation – ie:
  - a police investigation of a possible criminal offence;
  - enquiries and assessment by the children’s social care providers about whether a child is in need of protection or in need of services;
  - the employer’s consideration as to whether the alleged offender should be subject to disciplinary action.

### Timescales

- 6 It is essential that any allegation of abuse made against a member of staff or volunteer is dealt with fairly, quickly, and consistently in a way that provides effective protection for the child and, at the same time, supports the alleged offender. Every effort should be made to manage cases to avoid any unnecessary delay. Timescales are provided in the procedures set out below. However, the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation.

### Record keeping

- 7 It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a staff member’s confidential staff file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any future request for a reference if the person has moved on. It will provide clarification in cases where a future Criminal Records Bureau Disclosure reveals information from the Police about an

allegation that did not result in a criminal conviction. It will also help to prevent unnecessary re-investigation if, as sometimes happens, an allegation re-surfaces after a period of time. The record should be retained at least until the person has reached normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

### Procedures

#### Making allegations

- 8 The **complainant** making the allegation must put it in writing to the Pre-school Manager immediately unless the allegation is about that person, in which case it should be reported to the Chair of Caterpillar Pre-school Management Committee (the Management Committee Chair, who should take the action prescribed for the Pre-school Manager in the paras below). If the allegation meets any of the criteria set out in para 5 above, the **Pre-school Manager** should report it to Ofsted on the same day.

#### Initial consideration

- 9 The **Management Committee Chair** must discuss the matter with the Pre-school Manager and, where necessary, obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded. The **Pre-school Manager** should not investigate the allegation at this stage.
- 10 If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer significant harm, The **Pre-school Manager** must inform Social Services and convene a meeting with the parent/carer straight away.
- 11 If there is not cause to suspect that “significant harm” is an issue, but a criminal offence might have been committed, the **Management Committee Chair** should immediately inform the Police and convene a similar discussion to decide whether a Police investigation is needed. That discussion should also involve the Pre-school Manager (if appropriate) and any other agencies involved with the child.
- 12 If there is clearly no substantiation for the allegation, the **Management Committee Chair** must refute it in writing and the parent/carer will be invited to meet with the Pre-school Manager and the Caterpillar Pre-school Management Committee to resolve any anxiety in relation to the circumstances surrounding the allegation.

#### Action following initial consideration

- 13 Where, following the initial consideration, the **Management Committee Chair** decides that the allegation may be justified in part or full, the Line Manager of the alleged offender will take any action necessary under the Church’s Discipline policy and procedures. This should involve the suspension of the alleged offender in any case where:
- there is cause to suspect a child is at risk of significant harm; or
  - the allegation warrants a Police investigation; or
  - the allegation is so serious that it may result in the alleged offender being dismissed for gross misconduct.

### Case subject to Police investigation

- 14 If a criminal investigation is required, the **Police** will need to complete their enquiries keeping the **Management Committee Chair** fully informed of the progress of the case under review. The **Police** should at the outset set a target date for reviewing progress of the investigation and consulting the Crown Prosecution Service (CPS) about whether to proceed with the investigation, charge the individual with an offence, or close the case. Wherever possible that review should take place **no later than 4 weeks** after the initial action meeting and if the decision is to continue to investigate the allegation dates for subsequent review should be set at that point. (It is open to the Police to consult the CPS about the evidence that will need to be obtained in order to charge a person with an offence at any stage.)
- 15 If the **Police** and/or **CPS** decide not to charge the individual with an offence, or decide to administer a caution, or the person is acquitted by a Court, the Police should wherever possible aim to pass all information they have, which may be relevant to a disciplinary case, to the Church within 3 working days of the decision. If the person is convicted of an offence the **Police** should also inform the Church straight away so that disciplinary action can be taken.
- 16 In any case in which the **child's social care providers** have undertaken enquiries to determine whether the child or children are in need of protection, they should pass to the Church any information obtained in the course of those enquiries, which is relevant to a disciplinary case.

### Referral to Ofsted

- 17 If on conclusion of the case the Pre-school ceases to employ the staff member, or use a volunteer's help, the **Management Committee Chair** should advise Ofsted and the Early Years Department of the Local Authority.

## Harassment of staff

### Policy

- 1 This policy and procedure is to be followed when staff, in carrying out their duties, suffer harassment by anyone who is not someone on the Church staff. It becomes effective on 1 September 2007. This policy and procedure are based on similar policies and procedures used by health and educational organisations such as Hospital Trusts and Universities.
- 2 This policy and procedure has been introduced to ensure that the Church:
  - maintains a working environment, which is free from any forms of harassment (eg bullying, hostility, intimidation etc), and in which the integrity and dignity of individuals is respected;
  - adheres to its Equal Opportunities and Diversity policy;
  - meets its duty of care to provide for the safety and well being of its staff;
  - complies with the Health and Safety at Work Act 1974, and the Protection from Harassment Act 1997
- 3 If a member of the Church staff suffers harassment by another member of staff, the matter must be dealt with under the Church's Grievance and Discipline policies and procedures.
- 4 The main elements of this policy can also apply to any church member, volunteer or ministerial student placement who suffers harassment as a result of their involvement in church life. As a church member or volunteer will not have a line manager, they will need to decide themselves whether and how to involve the Police.

### Definitions

- 5 **Harassment** is any unwanted, uninvited, unreciprocated and unwelcome behaviour of a nature that is offensive to the person involved and causes that person to feel threatened, humiliated or embarrassed. Harassment can take many forms including sexual and racial harassment, bullying & victimisation. It may be directed at anyone, and in particular against people of ethnic origin, or towards people because of their age, sexual orientation, physical or mental disability or other characteristic.
- 6 **Bullying** occurs when a person uses their superior strength or power to coerce, persecute or oppress others by fear. Examples of being bullied include being:
  - shouted at or subjected to sarcasm;
  - belittled about your work, personality or personal appearance.
- 7 **Sexual Harassment** is a form of sex discrimination, which can occur in a variety of circumstances, but always has a distinctive feature – ie the inappropriate and unwanted use of sexual comments or activities. It often arises, though not always, between people of unequal status. Examples of sexual harassment include:
  - unnecessary and unwelcome physical contact;
  - suggestive comments or gestures emphasising the gender of an individual or group;
  - requests for social or sexual encounters and favours;
  - display of, or electronic transmission of, pornographic, degrading or indecent material.

- 8 **Racial harassment** is a form of race discrimination, which includes a hostile or offensive act or expression by a person or group against another person or group on grounds of racial or ethnic origin, or incitement to commit such an act on racial grounds. Such behaviours include:
- derogatory name calling ;
  - insults, threats and racist jokes;
  - ridicule of an individual for racial or ethnic difference;
  - racist graffiti, images or insignia.
- 9 **Victimisation** means treating a person less favourably because they have made, or has supported someone else to make, a complaint of unfair treatment. Victimisation can be expressed in any one or more of the forms of harassment described in paras 5 to 8 above.

### Procedures

- 10 If a **staff member** feels that they are being subjected to harassment in any form, they do not have to feel that it is their fault or that they have to tolerate it. Nor should they be deterred from making a complaint because of embarrassment or fear of intimidation or publicity. The Church will treat all complaints sensitively and appropriately and take all reasonable action to protect the staff member.
- 11 There are various steps that the staff member or the Church can take to deal with harassment, both on an informal or formal level. **Staff members** should take any action they decide upon as quickly as possible. Whichever route the staff member chooses, they should keep a written record of all relevant incidents, including:
- the nature of the harassment (eg phone call, unwanted gift etc);
  - dates and times of occurrences;
  - the names of any witnesses;
  - and a note of the ways in which the incidents have caused any changes to the staff member's work patterns or social life.

### Incidents involving assault and criminal offences

- 12 If a **staff member** is subject to sexual, racial or other physical assault, they should:
- get any medical help required;
  - let their line manager know what has happened, rather than suffer distress or leave their job. If the type of attack leads the staff member to want to talk to someone other than their line manager (eg a female elder or deacon), then that is fine. However, the line manager will need to be made aware of what's happened so they can fulfil their responsibilities set out in para 13 below;
  - report the incident to the Police for the staff member's own protection and the protection of others.
- 13 While the Police take the necessary action, the **line manager** must:
- support the staff member and safeguard their interests;
  - handle the situation sensitively, especially if the Church's sick absence policy and procedure needs to be followed;
  - arrange any pastoral care and prayer support that the staff member needs.

- 14 Meanwhile, it may be advisable for the **staff member** to change their telephone number or e-mail address (eg in situations involving unwanted contact by the offender). In exceptional cases, the staff member may have to temporarily change their accommodation and/or work arrangements while the matter is being resolved.

### Other incidents

#### Step One – Personal Action

- 15 If the **staff member** feels able to do so, they should make it clear to the person causing the offence that such behaviour on that person's part is unacceptable. The staff member may find it helpful to ask their line manager, colleague, church leader or trusted friend to accompany them.
- 16 The **staff member** should:
- speak to the offender at the time of the offence or as soon as possible after the realisation of the problem;
  - explain what is the offending and unwanted behaviour;
  - explain the impact and consequences of such behaviour;
  - and seek the offender's agreement that the behaviour will cease;
- 17 Offending individuals could be unaware of, or insensitive to, the impact of their actions, and such discussions can change behaviour or prevent further incidents. For example, being aware that the situation is noticed and being kept under review can act as a deterrent to further offensive actions.
- 18 However, if the **staff member** feels unable to make their concerns known to the offender in person, this does not constitute consent to the harassment; nor will it prejudice any action the staff member may decide to take. The staff member may find it easier to write to the offender, and they must remember to keep a copy of the letter.

#### Step Two – Line manager action

- 19 If the harassment continues, or it is of a more serious nature than can be dealt with under "other incidents", the **staff member** should discuss the matter with their line manager. This will enable both parties to discuss the situation in confidence and consider what action should be taken to resolve the issue (eg referral to the Police). Subject to para 22 below, as a general principle, confidentiality amongst the staff team should be agreed and maintained wherever possible while handling any cases of harassment.
- 20 The **line manager** should consult the Diaconate Staffing Committee about the case and write to the offender setting out the information listed at para 11 above. The line manager should warn the offender that the matter will be referred to the Police should the harassment occur again.
- 21 If the harassment continues and/or gets more serious, the **line manager** should report the matter to the Police and follow paras 12 and 13 above; the **staff member** should follow para 14 as appropriate.

- 22 Where the offender is a church member or church attender, the **Church leaders** must consider taking the appropriate disciplinary action against the offender in line with Scripture, including: bringing the matter to the notice of a church meeting; and removing a church member from membership, or asking a church attender not to worship at Battle Baptist Church.

## Probation

### Policy

- 1 This is the revised Probation policy and procedure for Battle Baptist Church, which becomes effective from 1 July 2008.
- 2 Probation is defined as “the period over which an employee’s conduct and ability is tested”. Employers use the probation period to determine whether to continue to employ the new member of staff. The probation period for a staff member is set out in their employment contract. At the end of the period, the **line manager** must decide whether the staff member has passed their probation by demonstrating satisfactory attendance, conduct and performance.
- 3 Passing the performance test can cover one of these two situations – ie where the staff member is:
  - carrying out all aspects of their job at the end of the probation period; or
  - likely to be able to carry out all aspects of their job given further time, and training and development, which the employer agrees to support.

### Procedure

#### Attendance

- 1 At the end of the probation period, the line manager must decide whether the staff member has demonstrated satisfactory attendance in line with the Church’s Sick absence policy and procedure. If the answer is “yes”, the staff member has passed the attendance element of their probation.

#### Conduct

- 2 At the end of the probation period, the **line manager** must decide whether the staff member has adhered to the Church’s Standards of Behaviour. If the answer is “yes”, the staff member has passed the conduct element of their probation.

#### Performance

- 3 At the end of the probation period, and using the Church’s Staff Development policy the **line manager** must also decide whether the staff member has satisfactorily performed to “requirements”. If the answer is “yes”, the staff member has passed the performance element of their probation. The staff member performs to requirements by achieving the 3 work objectives in their Staff Development Plan, which have been agreed with their line manager.

#### *Agreeing objectives*

- 4 The **line manager** should agree the 3 work objectives with the staff member using the guidance in the Church’s Staff Development policy. The line manager must make sure the objectives are SMART (see paragraph 2 of the Staff Development procedures).
- 5 The **line manager** should remember that the objectives must be measurable in a way that the staff member can understand. The line manager may need to take into account specific and constructive feedback from other people such as elders and deacons to decide whether the staff member is meeting their objectives. If this is the case, the line manager must make the staff member aware that the feedback from others will be used to assess their performance.

- 6 The **line manager** should also remember that the objectives must be realistic and timebound. The **line manager** can:
- either set objectives which need to be met by the end of the probation period;
  - or set objectives which need to be met at the end of the Staff Development year (ie 31 December).
- 7 If the line manager chooses the second option, they need to decide whether the staff member is in the process of achieving their objectives taking into account:
- the timescales over which a staff member would normally be expected to achieve the objectives;
  - the staff member's level and rate of development with the job; and
  - what further time, and training and development, the staff member needs to meet their objectives.

*Recording performance against objectives*

- 8 The **line manager** should use the staff member's Staff Development Plan to record the assessment of performance against objectives. When a staff member's probation period ends during the Staff Development year, their line manager must complete two Staff Development Plans for the staff member for that year. For example:
- a staff member with a 6-month probation period joins the Church on 4 March;
  - their probation ends on 3 September;
  - their first Staff Development Plan will run from 4 March to 3 September;
  - their second Staff Development Plan will run from 4 September to 31 December.

*Recording whether probation has been passed*

- 9 Under the line manager's signature and date at the end of Part 3 of the staff member's Staff Development Plan, **the line manager** should record whether or not the staff member has passed probation – eg: *“Peter has passed probation by demonstrating both satisfactory conduct and performance.”*

*Impact of a 6 months probation period on the Staff Development year*

- 10 If the staff member, with a 6 months probation period, joins the Church with less than 6 months of the Staff Development year to go (ie they join after 1 July), the **line manager** should defer the completion of the staff member's Staff Development Plan (for end of the year) until the 6 months probation period has been completed. This will mean that such a staff member will have two Staff Development Plans completed for the new year. For example:
- a staff member joins the Church on 17 September 2007. No Staff Development Plan is due for the period 17 September to 31 December 2007;
  - their probation ends on 16 March 2008;
  - their first Staff Development Plan will run from 17 September 2007 to 16 March 2008

- their second Staff Development Plan will run from 17 March to 31 December 2008.

### Extending the probation period

- 11 In unforeseen or exceptional situations relating to the staff member's performance, the **line manager** can decide to extend the staff member's probation period up to a maximum time of double the original period. For example, where the staff member's progress against their work objectives has been slower than expected due to sickness or other unforeseen personal factors, and the line manager is unsure as to whether the staff member will be able to carry out their job effectively, the line manager can decide to give the staff member more time (and support and training etc) if the line manager considers that:
- the staff member has the ability to address performance issues and meet the full requirements of the job;
  - and time is the only other factor which has prevented the staff member from completing their original probation period satisfactorily.
- 12 The **line manager** should take the decision to extend the staff member's probation in consultation with the Diaconate Staffing Committee (or in the case with Caterpillar Pre-school staff, in consultation with the Caterpillar Pre-school Management Committee).
- 13 Once the decision to extend the staff member's probation has been made, the **line manager** and a representative from the Diaconate Staffing Committee must meet with the staff member to:
- explain the reasons for the decision and what is going to happen next, including the time period involved;
  - and agree whether any changes to existing work objectives need to be made to enable the staff member to address performance issues.
- 14 During the meeting, the **line manager** should make notes recording what was discussed and agreed. After the meeting the line manager should give a copy of the record to the staff member to sign and date along side the line manager's signature and date.
- 15 At the end of the extended probation period, the **line manager** must decide whether the staff member has passed their probation by demonstrating satisfactory attendance, conduct and performance. If the answer is "yes", the line manager can follow paragraphs 8 and 9 above.

### Failing probation

- 16 If the staff member fails to meet their probation requirements, the **line manager** should consult with the Diaconate Staffing Committee (or Caterpillar Pre-school Management Committee) before taking action to end the staff member's employment – ie to confirm the notice period and any financial package, taking into account the provisions set out in the staff member's contract of employment. The line manager must write to the staff member with details of the termination of employment.

Pastoral staff

- 17 Where the staff member is a member of the pastoral staff of the church, the **line manager** should also consult the elders relating to the extension of probation, or termination of employment, for the staff member. The **elders** may also decide that the matter needs to go before a church members' meeting so that the line manager and elders can take into account the outcome of the meeting before the line manager makes any final decision about the staff member.

## Checklist for Line Managers - what to do when a staff member leaves employment

### Introduction

This checklist sets out the actions that **line managers** must take if a staff member leaves their employment with Battle Baptist Church. The actions that need to be taken depend on whether the staff member has resigned from their job, or whether the line manager has decided that the staff member's employment should end due to poor attendance, conduct or performance. The checklist is based on the best practice recommended by ACAS.

### Resignations

- 1 On receiving the staff member's resignation, ask them in confidence the reasons why they are leaving, and see whether they have unresolved grievances or suggestions for improvements. Such discussions can be difficult for line managers and staff alike, and therefore should be handled with considerable care and a record kept of the discussion.
- 2 Once you have accepted a staff member's resignation, and if they haven't already done so, get the staff member to resign in writing written and include the date of resignation. This will help you avoid disputes over the exact date of the resignation and the start of any notice period
- 3 Confirm the staff member's notice period, as that stated in their contract of employment.
- 4 Decide whether you require the staff member to work out their full notice period. You may find it more appropriate to pay the staff member in lieu of all or part of the notice period if your contract provides for it or the staff member agrees. But if you do so, be sure that you have another staff member (or temporary volunteer) who is able to immediately take on the job.
- 5 Agree with the staff member the terms of an announcement to other staff, and the Church as a whole, concerning their departure. Let the Diaconate Staffing Committee know what is happening and, if needed, start the process to fill the staffing vacancy.
- 6 Organise a handover period with the staff member, taking into account the time needed to recruit replacement staff (or volunteers). This allows for a smooth handover of key tasks and responsibilities.
- 7 Liaise with the Church Treasurer and arrange for the staff member to receive their P45 and final payment including all money owing (eg: pay in lieu of working a notice period; travel or telephone expenses).
- 8 Write to the staff member to:
  - formally accept the resignation;
  - confirm the resignation date;
  - confirm their last day in/at work, which may be earlier than the last day of their notice period;
  - thank them for their service, including any specific achievements;
  - set out details of final payments;

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- ask them to return all church property on their last day in/at work.
- 9 Part on good terms as the person leaving may be a Church member. A disgruntled ex-staff member can damage the Church with criticism if they leave on poor terms. Organise a farewell party or gift from the Church, if appropriate.
- 10 On the day the staff member leaves, retrieve Church keys and other property (eg laptop). Make a point of saying goodbye on the actual day the person leaves and thank them again for all their hard work.

### **Other reasons for leaving**

- 11 Ensure you have followed the relevant Staff Handbook procedures correctly before getting to the point where you have decided a staff member's employment should end due to poor attendance, conduct or performance.
- 12 Follow steps 3 to 10 under "Resignations", except that:
- with the letter prescribed in step 8, also confirm the reasons why the staff member's employment is being ended. (If appropriate, refer to previous letters or notes from meetings copied to the staff member during the handling of their case);
  - it may not be appropriate to carry out all the actions listed in step 9.