



DIOCESE OF NOTTINGHAM

COMPENDIUM OF FORMAL POLICIES

Diocese of Nottingham Manuals:

The complete set of Manuals for use in the Diocese is on the diocesan website. If you have broadband please consider if you actually need to print out the Manuals.

Parishes:

Parish Administration Manual
Property Manual

Diocese (both Parish and Curia):

Personnel
Health and Safety (Prepared by Ellis Whittam)
Insurance - Use CIS (formerly CCIA) website - User name: Nottingham Password: Anicetus.
Policies

Priests (password protected):

Financial Matters for Priests
Vade Mecum (which is prepared by the Ongoing Formation of Clergy Commission).

The Finance Office is always happy to receive comments on the Manuals (other than Vade Mecum).

January 2018

COMPENDIUM OF FORMAL POLICIES at January 2017

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COMPLAINTS PROCEDURE

1. None of us welcome professional criticism but we should accept we are not perfect. Justified complaints can be helpful and, if made constructively, we should use them to advantage.
2. Complaints are made, almost invariably, direct to the Bishop. These notes apply equally, though, when a complaint is made to others, e.g. to a Dean, an Episcopal Vicar or Vicar General. In appropriate cases, details should be passed on to the Bishop. Where a complaint is received, for example, by a Curia department such as the Finance Office, if it refers to matters outside its jurisdiction it would be passed on to one of those mentioned for dealing appropriately.
3. Sensitive Issues. Where a complaint or report is received over “sensitive issue”, matters involving possible abuse of children or vulnerable adults or similar, then it MUST be referred immediately to the Diocesan Safeguarding Officer, Clare McKenzie, (at Tel 0115 960 3010. email: clare.mckenzie@familycare-nottingham.org.uk). This would then be dealt with under one of the two nationally agreed protocols for dealing with such matters. The choice of which protocol applies will depend on whether legal action has been intimated or not. The Diocesan Safeguarding Officer is responsible for the reporting to insurers and to the Financial Secretary for onward reporting to the Board. There is also a duty to make a report to the Charity Commission under certain circumstances although advice is taken first from lawyers instructed by the Diocesan insurers.
4. Possible Insurance Claims Where, other than for sensitive issues (to be dealt with as above), there is a possibility, however slight, of an insurance claim arising, the details need to be reported to CNM immediately with copies of the complaint sent both to the Parish Priest/ head of the Curia Department and to the Finance Office. No reply should be sent to the person complaining without CNM approval. (If we failed to notify CNM in such circumstances at the first opportunity or make an inappropriate reply then any insurance claim may be jeopardised.) CNM should be asked to reply to the Parish or head of the Curia Department concerned, again with a copy to the Finance Office. Under no circumstances is anything to be said to the person making the complaint which might be taken as admission of liability unless CNM have approved first.
5. Ordinary Complaints Any “non-sensitive issue” and “non-insurance” matters arising can be dealt with as an ordinary complaint. It will usually be acknowledged by the person receiving it. The person complaining can be thanked for raising the matter, advised that it will be investigated and may be referred to and discussed by the Bishop’s Council and / or the Board of Directors of the Diocese. The person making the complaint can be advised that, if helpful, he or she will be contacted again. It may not always be appropriate to do so, but such a comment leaves it open so that a reply can be made or not.
6. A copy will also be sent to the Parish Priest or the head of the Curia Department concerned. If the matter is going to be resolved, then, at this stage particularly, it is essential for that person not to be offended by the criticism. There is almost invariably a middle ground allowing for a solution to be found without giving offence to either

party. The good offices of a third person such as the Dean or Vicar General should be involved to discuss the best approach. That information will then be passed to the person who received the complaint originally who will decide what further action is appropriate. **If humanly possible avoid taking an entrenched position which will only discourage easy resolution, increase annoyance to all parties, make the job of any third person called in to assist that much more difficult and invariably lengthen the time taken to resolve the matter.**

7. At all costs avoid criticising parishioners publicly as these are the most difficult complaints of all to resolve. Even if they are not named they will still take umbrage and, worse, there will be others who think that they are being criticised who have nothing to do with the problem who will also take umbrage.

8. As advised at the outset, nobody likes to be criticised. A complaint will often be justified, if not entirely then in part. Try and regard complaints as helpful. Be prepared to apologise – in an appropriate case – and remember, also, that a person offended by the Church can be put off the Church even to the extent of giving up their practice of the faith.

DATA PROTECTION

The Diocese's Data Protection Policy follows. It also includes the policy on access to electronic devices which give access to confidential data.

Basic procedures

1. This applies no less to all of those connected with the Diocese who may come into contact with data and not just to employees. A person not in employment, for example a parish safeguarding representative, may not come under the Diocese's disciplinary rules. In such a case alternative action will be taken. This may not only mean that the person concerned may have no further access to the data but may be prevented from assisting in the parish or Diocese at all. All need to be aware that breaches of the Data Protection Act can give rise to a criminal liability.

2. The Data Protection Principles are as follows and this policy is developed in line with them. These provide that personal data must be:

- a) Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - (i) at least one of the conditions in Schedule 2 is met, and
 - (ii) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
- b) Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- c) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- d) Personal data shall be accurate and, where necessary, kept up to date.
- e) Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- f) Personal data shall be processed in accordance with the rights of data subjects under this Act.
- g) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- h) Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

3. The Diocese's Data Protection Registration covers everything understood to be appropriate in the context of the Diocese including its parishes. The Information Commissioner's Office Data Protection Registration number for the Diocese is PZ2144106 and reference should be made to that registration (www.ico.gov.uk) if the Parish is in doubt about any activity in which they may become involved. If an activity is not covered then they must send details to the Finance Office so that an application, if approved, may be made to extend the registration before the activity is carried out.

4. Parishes using CCTV must consult the Information Commissioner's Office website to ensure that they are complying with all Data Protection Act requirements. For example notices advising that CCTV is in use must be displayed.

5. Confidential information must be restricted only to those who need to know. No person may pass on information of a confidential nature to someone who has no right to it. Where a person has asked on a form that follow up fund raising does not take place then this must be followed.

Special areas and procedures

6. While generally the Diocese does not have a lot of personal information of great confidentiality there are the following specific areas where special treatment is required.

7. The Tribunal.

All members of staff in that department are required to take an oath of secrecy. Mail sent to the Finance Office for that department will not be opened but immediately passed to that department for opening. If inadvertently mail is opened, for example because it is not clear that it is for the Tribunal, then the envelope will be immediately resealed, the contents not having been examined and the circumstances of this noted on the envelope. Communication between Tribunal computers will be by cable rather than wireless so far as possible.

8. Safeguarding records at parish and Diocesan level (the latter including Family Care which formally provides the services of the Diocesan Safeguarding Co-ordinator).

This need for special confidentiality **MUST** be made clear to the Parish Safeguarding representative. (The use of ebulk direct input does, of course, make the risk of loss of data correspondingly less although the online security procedures **MUST** be used). An unnecessary DBS check should not be performed.

9. The Gift Aid records at parish and Diocesan level.

This need for special confidentiality **MUST** be made clear to the Parish Gift Aid Organiser.

10. Personnel records

This applies whether they are held centrally by the Diocese or by a parish.

11. Pastoral records

Again this applies whether they are held centrally by the Diocese or by a parish.

12. Where confidential data is involved and additional security is required the following is compulsory.

- a) Use of recorded delivery for items which include confidential personal information, names and addresses, copies of identification documents, donation records and so on.
- b) In relation to confidential data held on an electronic medium such as a data stick, it will be kept in a safe when not in use and when data is transferred in machine readable form it must be password encrypted.
- c) Computers, particularly personal computers, must have password access and be kept in a locked room when not in use. It is good practice to change the password from time to time.
- d) Confidential data on which work is taking place, whether on a computer or hard copy must be treated appropriately and physical access denied to others if appropriate.
- e) Hard copy data must be kept in locked storage.
- f) Data transferred by a file attached to an email must have password encryption advised separately
- g) Where direct access is used for online updating of data access is restricted to those who are authorised only. Staff and others working in these departments must be properly trained in the procedures and training must make clear who has the right of access to these data. Any note of the password if retained separately, will be kept in the safe in a sealed envelope.
- h) Disused electronic media such as data sticks and hard disk drives removed from old computers will be physically destroyed.
- i) Out of date hard copy data must be shredded or similarly destroyed.
- j) Where a personally owned computer has parish or Diocesan data on it then the Diocese must have the right at any time to access that computer in order to delete such data even when the person concerned has no longer any connection with the Diocese.

Security breach.

13. Inevitably, in an organisation of the size of the Diocese, there will be an occasional security breach from time to time. This must be reported at once to the Financial Secretary. If this breach is significant then professional advice will be taken over it so that a formal report to the Information Commissioner's Office can be considered. If a report has to be made to the Information Commissioner's Office it is likely that a report will also have to be made to the Charity Commission as the regulator of the Diocese. The kind of breach which will tip the balance in favour of a notification will involve a large number of people, sensitive data or serious consequences.

14. The following matters will be considered in relation a security breach:

- a) the prevention of any further loss or damage to personal data. Once a breach has been contained it will need to be established exactly what personal data has been compromised by the breach and whether anything can be done to recover that data, e.g. contacting IT

specialists to recover corrupted data or reporting files or discs that have been stolen to the police.

b) the assessment of the potential consequences of the breach both for the Diocese and for the individuals whose data has been compromised. They may need to be advised of the breach.

c) investigation of the circumstances of how the breach occurred and whether any steps can be taken to prevent a recurrence.

Out of date or inaccurate data

15. Data should not be kept longer than is necessary. Although after 6 years it is unlikely that much data needs to be kept generally remember that once something is destroyed it cannot be recovered. If in doubt retain.

16. The date which is required to be retained should be updated as necessary.

Advice to the Police of confidential data and Civil proceedings

17. s29 of the Data Protection Act provides for the circumstances in which otherwise confidential data can be given to the Police. It is the Diocese which has the duty and not the Police to determine whether data can be properly passed on. S29 applies to data passed on

- a) for the prevention of detection of crime
- b) apprehension or prosecution of offenders
- c) assessment or collection of tax

and withholding the data is likely to cause prejudice.

18. So before passing data on to the Police advice is needed of the link between the data requested and the purpose for which it is used. The s29 request needs to be signed by the Police. The details need to be kept in case of subsequent query.

19. Given the importance of supporting the Police in preventing and punishing crime it is very important to assist them as far as you can and refer any difficulty to the Financial Secretary.

20. A s29 request is not appropriate for civil proceedings and s35 should be used instead.

Other

21. Any Subject Access Request or similar approach should be reported immediately to the Financial Secretary along with any relevant supporting information so that advice may be taken as to the appropriate action.

22. These policies will be reviewed annually, in response to a security breach and more often if this appears to be warranted.

23. Further guidance is on the Information Commissioner's Office website.

24. The Financial Secretary is the Data Protection Officer.

(Above adopted by Board of Directors 24th September 2015 and updated December 2016)

INVESTMENT POLICY

A. After discussion and noting:

1. The Diocese membership of Churches Investors Group remained
2. That no company dealt solely in areas which were considered objectionable
3. The duty of looking after the assets of the Diocese as a charity and the related importance of not giving a Fund Manager an excuse for underperforming
4. The small size of the Diocese's portfolio and hence its lack of influence.
5. The quarterly meetings with the Investment Manager at which divestment could be requested of investments thought to be unsuitable

It was agreed not to be appropriate to have a formal ethical policy which included a proscribed list of industries or investments.

B. Accordingly the following charity investment policy was adopted:

In relation to funds which are the responsibility of the Investment Manager:

1. The Investment Manager is required to maximise the total return from investments on a medium risk basis over the longer term. In so doing it should be aware that, as a charity, the Diocese does not suffer tax on its income or capital gains and is in a position to use all of the income it raises for the purposes of the fund in which the investments are held. It is expected that the investments should at least keep pace with inflation.
2. The Investment Manager is required to follow the legislation and Charity Commission guidance which applies to the investment duties of the Diocese and to advise the Board of Directors of them.
3. The Diocese encourages and supports high ethical standards. Although it will not lay down a list of specific industries or companies in which investment may not take place it will review the holdings of the Diocese at quarterly meetings. Should it feel that a particular holding is not appropriate in the context of the Diocese or as a Catholic charity it will discuss this with the Investment Manager with a view to requesting divestment. In coming to a decision it will take account of both the positive and negative aspects of a particular company's activities. It will also take into account the duties of the Diocese as a charity over the protection of the value of its assets. It will maintain its co-operation with other religious bodies through membership of the Churches Investors Group which encourages high ethical standards of operations of public companies.
4. The Investment Manager will be informed of funds which are available to invest and conversely any requirements of the Diocese of the need for access to capital. The Investment Manager will be advised of the status of the different funds, unrestricted,

designated, restricted and permanent endowment as the case may be. It will also be advised of holdings which the Diocese holds as trustee rather than as principal.

5. The Diocese will require reporting to it at least quarterly and as transactions take place. It will discuss and agree asset allocations for the funds and monitor performance against the appropriate benchmarks which take account those asset allocations. It will discuss and agree the extent to which investment may take place in derived products.
6. The investments may be held in the name of a nominee company whether or not that company is connected to the Investment Manager.
7. The Investment Manager may choose where cash deposits under its control are held, noting that these will be a relatively small proportion of the funds of the Diocese.

In relation to other funds:

8. Smaller funds may be held in collective investment schemes which will be under the direct review of the Diocese.
9. Cash deposits relating to amounts owned by the Parishes of the Diocese may only be held in UK clearing banks unless specific approval is given by the Board in certain cases. Other cash deposits may be held outside such arrangements but this must be reported to the Board which may require their moving.
10. The Board policy is that there should be one bank account per Parish and one main Curia bank account. The opening and closing of bank accounts within this policy are not required to be reported to it but others are, within the Charity Commission guidance.

(Adopted by the Board of Directors at its meeting on 20th June 2012.)

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES “CONFLICTS OF INTEREST” POLICY

Conflict of interest: A conflict of interest is any situation in which a director’s personal interests or loyalties could, or could be seen, to prevent them from making a decision only in the best interests of the charity.

Conflict of loyalty: This means a particular type of conflict in which a director’s loyalty or duty to another person or organisation could prevent the director from making a decision only in the best interests of the charity.

Director benefit: This means any instance where money, or other property, goods or services, which have a monetary value, are received by a director from the charity. The law says that directors cannot receive a benefit from the charity, whether directly or indirectly, unless they have an adequate legal authority to do so. The potential for a director to benefit from the charity also creates a conflict of interest which the directors need to address effectively. The term “director benefit” **does not** include any payments to directors which are for their proper out of pocket expenses.

1. The directors of the charity are obliged by law to act in the best interests of the charity and not for their own private interest or gain. However, there may be situations where a director’s own interests and the interests of the charity arise simultaneously or appear to clash. The issue is not the integrity of the director concerned, but the management of any potential to profit from or otherwise abuse the position of being a director generally.
2. The duty of loyalty owed by the directors to the charity requires that each director is aware of the potential for conflicts of interests and acts openly in dealing with such situations.
3. The law imposes strict limits on the benefits which may be conferred on directors. The charity’s governing document allows benefits to directors in the circumstances set out in Clause 5 of the Articles of Association.
4. Even where benefits are permitted under the constitution, the appropriate procedures set out in the Articles of Association must be observed in order to ensure that the conflict of interests is properly managed.
5. All interests should be declared, whether business or personal, and include those of their spouse, partner or close relatives erring on the side of disclosure if in doubt.
6. Before, or at the beginning of each Board Meeting (or Committee Meeting), directors will be reminded that they must declare any interest which may conflict in relation to matters on the agenda. Accordingly, a permanent register of interests will not be maintained.
7. After disclosure of an interest, the other directors will have the right to determine whether a conflict exists in the circumstances. The procedure set out in Clause 23 of the Articles of Association shall be followed. In particular, unless the circumstances in 9 apply, he or she will be required to withdraw from the meeting while the relevant matter is discussed.

8. Minutes of the meetings of the Board and any Committees at which interests are disclosed will record:
 - 8.1 the nature of the interest and determinations regarding any conflict;
 - 8.2 the extent of the relevant directors non-participation with respect to consideration of the matter;
 - 8.3 any limitation on the director's ability to act in relation to the such matter;
 - 8.4 any alternatives that were discussed;
 - 8.5 the names of people present for discussion;
 - 8.6 the votes taken regarding the interest; and
 - 8.7 any other relevant information.
9. Given that the most conflicts of interest or of loyalty will generally arise out of appointments to closely linked organisations associated with the Roman Catholic Church, it will usually be sufficient that the conflict of interest be made known to the Board or Committee and carried forward in the papers for the meeting.

Adopted at Board meeting 25th June 2014.

VOLUNTEERS

1. Although not an employee a volunteer is to be treated as such insofar as it is applicable to them.
2. A volunteer should always be treated fairly as well as with respect. Their recruitment should be done in a way which takes account of protected characteristics except that there is in many cases a Genuine Occupational Requirement for the volunteer to be Catholic.
3. A volunteer must be treated as would any other employee over matters such as health and safety.
4. A volunteer is able to see his or her parish priest or head of department to discuss matters related to the volunteering role. He or she may also ask to see the Financial Secretary about any matter which relates to the volunteering arrangement and which the parish priest or head of department has been unable to resolve.

MISCELLANEOUS POLICIES

Grant making policy.

The Diocese is not primarily a grant making trust, although it may make grants in accordance with its constitution. A grant above £5,000 is required to be approved by the Board of Directors. Up to that figure a grant may be authorised by a parish priest or the Financial Secretary or Episcopal Vicar for Finance and Administration/ Moderator of the Curia.

Where a grant is made abroad then the special requirements of HMRC must be followed.

Where a grant is to an associated body and is substantial then a report will be required from that body from time to time.

Policy on reserves

Given that there are requirements for capital, especially for example for the provision of accommodation for retired priests, it is the policy of the Directors at present that the unrestricted liquid reserves of the Diocese be between one and three years of its normal expenditure. As a separate juridical person under canon law each parish is responsible for determining its own reserves policy under the general responsibility of the Board.

Anti Bribery

Bribery is not tolerated.

Acceptance of hospitality is subject to permission sought of the parish priest or head of department in advance and recorded in the minutes of the Board of Directors or of its Committees or of the Parish Finance Committee.

Donations are received for the parish or the Diocese as the case may be. However if it is suspected that they may be “tainted” by being the proceeds of criminal action then a report should be made to the Financial Secretary as well as to the Head of Department or Parish Priest. The Financial Secretary will decide what action should be taken in relation to a police report or other regulatory requirement.

If the amount of a cash donation is significant (over £5,000) then the anti money laundering procedures must be followed.

A register of interests arising from positions held in connected organisations or otherwise must be kept. The most convenient way will be by recording them on the agenda/ minutes of relevant meetings and then carrying them forward from meeting to meeting.

Whistleblowing

Suspicious can be made to the Financial Director of the Diocese or to the Episcopal Vicar for Finance and Administration/ Moderator of the Curia or to any Director. Unless reasonably deemed to be frivolous they will be investigated by the Financial Secretary. As much relevant information as possible should be provided and where possible evidenced in material form. Where the Financial Secretary may be implicated in the matter then, instead, it will be investigated by the Episcopal Vicar for Finance and Administration/ Moderator of the Curia. In all cases a report will be made to the Board of Directors.

The above is encouraged so that the matter can be most easily investigated. However this does not prevent a report to the police or to the Charity Commission by a whistleblower if he or she thinks it is appropriate.

Policy to cover payment and re-imburement of expenses.

Expenditure is authorised in parishes by the Parish Priest up to £5,000 and beyond that by the Board of Directors. In the Curia it is authorised up to £1,000 by the Head of Department and above that up to £5,000 by the Financial Secretary or the Moderator of the Curia. Beyond that approval will be by the Board of Directors. Cheques will be signed up to £5,000 by the Parish Priest, his dean or by one of the Full Powers signatories approved by the Board and based at Willson House. (Currently these are the Bishop, the Vicars General, the Episcopal Vicar for Finance and Administration/ Moderator of the Curia, the Chancellor, the Cathedral Dean and the Financial Secretary). Cheques above £5,000 require a second Full Powers signature. No one should sign a cheque payable to himself (this is a protection for the signatory as much as anything). BACS payments will be made centrally and involve any two of the Full Powers signatories or one of them and the Diocesan Accountant.

A payment card is provided for each parish priest and certain heads of commissions but on the basis of only one per parish and under the personal control of the parish priest. They must approve expenditure charged to their cards on a monthly basis.

Risk management

The Diocese will carry out a risk assessment at least annually which will be reported to the Board. No list of risks is likely to be complete and advice is welcomed on additional items which should be included and on ways of mitigating them and also on ways of mitigating previously identified risks.

A review of Internal Financial Control will be undertaken and “negative” points will be reported to the Board with advice on how they are dealt with.

Physical risks will also be assessed annually as part of the health and safety review and reported to the Board through the health and safety committee.

Safeguarding Policy and Policy over Vulnerable beneficiaries

The policies adopted nationally by the Church and formally adopted by the Board of Directors in March 2017 are available on the CSAS website.

Paying staff

It is the policy of the Diocese to pay a fair salary to those who work for it. That salary must be above the national minimum wage and also above the National Living Wage unless there are reasons why this is not appropriate. The rates chosen by parishes for their staff are their responsibility within, of course, the above guidelines. They must be reviewed annually but no commitment is made to an increase.

The rates for those staff not in parishes will be reviewed by the Board of Directors annually after comparison with published salary rates and also taking into account the cost of living and of affordability. The salary of senior staff is determined by a Committee of the Board of Directors in line with the above.

Dated: 1st April 2013.

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES
GRIEVANCE PROCEDURE

1 Policy statement

- 1.1 This procedure does not form part of any employee's contract of employment. It may be amended at any time and we may depart from it depending on the circumstances of any case.
- 1.2 Most grievances can be resolved quickly and informally through discussion with your line manager. If this does not resolve the problem, you should initiate the procedure below reasonably promptly.

2 Step 1: written grievance

- 2.1 You should put your grievance in writing and submit it to the Financial Secretary of the Diocese.
- 2.2 The written grievance should set out the nature of the complaint, including any relevant facts, dates, and names of individuals involved so that we can investigate it.

3. Step 2: meeting

- 3.1 We will arrange a grievance meeting normally within one week of receiving your written grievance. You should make every effort to attend.
- 3.2 You may bring a companion to the grievance meeting if you make a reasonable request in advance and tell us the name of your chosen companion. The companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as your companion.
- 3.3 If you or your companion cannot attend at the time specified you should let us know as soon as possible and we will try within reason, to agree an alternative time.
- 3.4 We will write to you, usually within one week of the grievance meeting, to confirm our decision and notify you of any further action that we intend to take to resolve the grievance. We will also advise you of your right of appeal.

4 Step 3: appeals

- 4.1 If the grievance has not been resolved to your satisfaction you may appeal in writing to the Financial Secretary, stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.
- 4.2 We will hold an appeal meeting, normally within two weeks of receiving the appeal. You may bring a companion to the appeal meeting if you make a reasonable request in advance and tell us the name of your chosen companion. The companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as your companion.
- 4.3 Given the size and resources of the employer it will usually not be practicable for the appeal to be conducted by an individual who has not previously been involved in the case but it will be conducted under the supervision of a Director.
- 4.4 We will confirm our final decision in writing, usually within one week of the appeal hearing. There is no further right of appeal.

Dated: 1st April 2013.

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES
DISCIPLINARY PROCEDURE

1 Policy statement

- 1.1 The aims of this Disciplinary Procedure are to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with employees to maintain satisfactory standards of conduct and to encourage improvement where necessary.
- 1.2 This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.

2 What is covered by the procedure

- 2.1 This procedure is used to deal with misconduct. It does not apply to cases involving genuine sickness absence, proposed redundancies or poor performance.
- 2.2 Minor conduct issues can often be resolved informally between you and your line manager. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be placed on your personnel file but will be ignored for the purposes of any future disciplinary hearings. In some cases an informal verbal warning may be given, which will not form part of your disciplinary records. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

3 Confidentiality

- 3.1 Our aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 3.2 You will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against you, unless we believe that a witness's identity should remain confidential.

4 Investigations

- 4.1 The purpose of an investigation is for us to establish a fair and balanced view of the facts relating to any disciplinary allegations against you, before deciding whether to proceed with a disciplinary hearing. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.
- 4.2 Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.
- 4.3 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to bring a companion if it helps you to overcome any disability, or any difficulty in understanding English.
- 4.4 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.

5 Suspension

- 5.1 In some circumstances we may need to suspend you from work. The suspension will be for no longer than is necessary to investigate the allegations and we will confirm the arrangements to you in writing. While suspended you should not visit our premises or contact any of our staff, unless you have been authorised to do so by the Financial Secretary of the Diocese.
- 5.2 Suspension of this kind is not a disciplinary penalty and does not imply that any decision has already been made about the allegations. You will continue to receive your full basic salary and benefits during the period of suspension.

6 Notification of a hearing

- 6.1 Following any investigation, if we consider there are grounds for disciplinary action, you will be required to attend a disciplinary hearing. We will inform you in writing of the allegations against you, the basis for those allegations, and what the likely range of consequences will be if we decide after the hearing that the allegations are true. We will also include the following where appropriate:

- 6.1.1 a summary of relevant information gathered during the investigation;
 - 6.1.2 a copy of any relevant documents which will be used at the disciplinary hearing; and
 - 6.1.3 a copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.
- 6.2 We will give you written notice of the date, time and place of the disciplinary hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time, usually two to seven days, to prepare your case based on the information we have given you.

7 The right to be accompanied

- 7.1 You may bring a companion to any disciplinary hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the Financial Secretary of the Diocese who your chosen companion is, in good time before the hearing.

8 Procedure at disciplinary hearings

- 8.1 If you or your companion cannot attend the hearing you should inform us immediately and we will arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If you fail to attend without good reason, or are persistently unable to do so (for example for health reasons), we may have to take a decision based on the available evidence.
- 8.2 At the disciplinary hearing we will go through the allegations against you and the evidence that has been gathered. You will be able to respond and present any evidence of your own. Your companion may make representations to us and ask questions, but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

- 8.3 You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness.
- 8.4 We may adjourn the disciplinary hearing if we need to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 8.5 We will inform you in writing of our decision and our reasons for it, usually within one week of the disciplinary hearing. Where possible we will also explain this information to you in person.

9 Disciplinary penalties

- 9.1 The usual penalties for misconduct are set out below. No penalty should be imposed without a hearing. We aim to treat all employees fairly and consistently, and a penalty imposed on another employee for similar misconduct will usually be taken into account but should not be treated as a precedent. Each case will be assessed on its own merits.

9.2 Stage 1: first written warning

A first written warning will usually be appropriate for a first act of misconduct where there are no other active written warnings on your disciplinary record.

9.3 Stage 2: final written warning

A final written warning will usually be appropriate for:

- 9.3.1 misconduct where there is already an active written warning on your record; or
- 9.3.2 misconduct that we consider sufficiently serious to warrant a final written warning even though there are no other active warnings on your record.

9.4 Stage 3: dismissal

Dismissal will only usually be appropriate for:

- 9.4.1 misconduct where there is an active final written warning on your record; or
- 9.4.2 any gross misconduct regardless of whether there are active warnings on your record. Gross misconduct will usually result in immediate dismissal without notice or payment in lieu of notice. The following are examples of matters that are normally regarded as gross misconduct:
 - 9.4.2.1 Fraud, forgery or other dishonesty, including fabrication of timesheets;
 - 9.4.2.2 Physical violence or bullying;
 - 9.4.2.3 Deliberate and serious damage to property;
 - 9.4.2.4 Deliberately accessing internet sites containing any pornographic, offensive or obscene materials;
 - 9.4.2.5 Repeated or serious failure to obey instructions, or any other serious act of insubordination;
 - 9.4.2.6 Unlawful discrimination or harassment;
 - 9.4.2.7 Bringing the organisation into disrepute;
 - 9.4.2.8 Being under the influence of alcohol, illegal drugs or other substances during working hours;
 - 9.4.2.9 Causing loss, damage or injury through serious negligence;
 - 9.4.2.10 Serious or repeated breach of Health & Safety rules or serious use of safety equipment;
 - 9.4.2.11 Serious breach of confidence;
 - 9.4.2.12 Conviction for a criminal offence that in our opinion may affect our reputation or affect our relationships with our employees, or the public, or otherwise affects your suitability to continue to work for us;
 - 9.4.2.13 Possession, use, supply of attempted supply of illegal drugs;
 - 9.4.2.14 Serious neglect of duties, or a serious or deliberate breach of your contract or operating procedures; and

- 9.4.2.15 Making critical or derogatory comments about us, or any of our employees, or other people involved with or connected to our organisation using e-mail and/or social networking sites such as Facebook whether during or outside working hours, and/or other inappropriate use of email and/or social networking sites which may, in our opinion, bring the organisation into disrepute.

This list is intended as a guide and is not exhaustive.

9.5 Alternatives to dismissal

In some cases we may at our discretion consider alternatives to dismissal. These will usually be accompanied by a final written warning. Examples include:

- 9.5.1 Demotion;
- 9.5.2 Transfer to another job;
- 9.5.3 A period of suspension without pay;
- 9.5.4 Loss of seniority;
- 9.5.5 A reduction in pay;
- 9.5.6 Loss of future pay increment or bonus;
- 9.5.7 Loss of overtime.

10 **The effect of a warning**

- 10.1 Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.
- 10.2 A first written warning will usually remain active for six months and a final written warning will usually remain active for twelve months.
- 10.3 After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future disciplinary proceedings.

11 Appeals

- 11.1 If you feel that disciplinary action taken against you is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to the Financial Secretary within one week of the date on which you were informed of the decision.
- 11.2 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.
- 11.3 We will give you written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after you receive the written notice.
- 11.4 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.
- 11.5 Given the size and resources of the employer it will usually not be practicable for the appeal to be conducted by an individual who has not previously been involved in the case but it will be conducted under the supervision of a Director.
- 11.6 Following the appeal hearing we may:
 - 11.6.1 Confirm the original decision;
 - 11.6.2 Revoke the original decision; or
 - 11.6.3 Substitute a different penalty.
- 11.7 We will inform you in writing of our final decision as soon as possible, usually within one week of the appeal hearing. Where possible we will also explain this to you in person. There will be no further right of appeal.

Dated: 1st April 2013.

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES
CAPABILITY PROCEDURE

1 Policy statement

- 1.1 The primary aim of this procedure is to provide a framework within which managers can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary.
- 1.2 This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary any parts of this procedure, including any time limits, as appropriate in any case.

2 What is covered by the policy

- 2.1 This policy is used to deal with poor performance. It does not apply to cases involving genuine sickness absence, proposed redundancies or misconduct.

3 Identifying performance issues

- 3.1 In the first instance, performance issues should normally be dealt with informally between you and your line manager as part of day-to-day management. Where appropriate, a note of any such informal discussions may be placed on your personnel file but will be ignored for the purposes of any future capability hearings. The formal procedure should be used for more serious cases, or in any case where an earlier informal discussion has not resulted in a satisfactory improvement.
- 3.2 If we have concerns about your performance, we will undertake an assessment to decide if there are grounds for taking formal action under this procedure. The procedure involved will depend on the circumstances but may involve reviewing your personnel file including any appraisal records, gathering any relevant documents, monitoring your work and, if appropriate, interviewing you and/or other individuals confidentially regarding your work.

4 Disabilities

- 4.1 Consideration will be given to whether poor performance may be related to a disability and, if so, whether there are reasonable adjustments that could be made to your working arrangements, including changing your duties or

providing additional equipment or training. We may also consider making adjustments to this procedure in appropriate cases.

5 Confidentiality

5.1 Our aim is to deal with performance matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with a matter which is subject to this capability procedure.

5.2 You will normally be told the names of any witnesses whose evidence is relevant to your capability hearing, unless we believe that a witness's identity should remain confidential.

6 Notification of a capability hearing

6.1 If we consider that there are grounds for taking formal action over alleged poor performance, you will be required to attend a capability hearing. We will notify you in writing of our concerns over your performance, the reasons for those concerns, and the likely outcome if we decide after the hearing that your performance has been unsatisfactory. We will also include the following where appropriate:

6.1.1 A summary of relevant information gathered as part of any investigation;

6.1.2 A copy of any relevant documents which will be used at the capability hearing; and

6.1.3 A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.

6.2 We will give you written notice of the date, time and place of the capability hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time, usually two to seven days, to prepare your case based on the information we have given you.

7 Right to be accompanied at hearings

- 7.1 You may bring a companion to any capability hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the person conducting the hearing who your chosen companion is, in good time before the hearing.

8 Procedure at capability hearings

- 8.1 If you or your companion cannot attend the hearing you should inform us immediately and we will usually arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct. If you fail to attend without good reason, or are persistently unable to do so (for example, for health reasons), we may have to take a decision based on the available evidence.
- 8.2 The hearing will normally be held by your Line Manager. You may bring a companion with you to the hearing. Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
- 8.3 You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness.
- 8.4 The aims of a capability hearing will usually include:
- 8.4.1 Setting out the required standards that we believe you may have failed to meet, and going through any relevant evidence that we have gathered;
 - 8.4.2 Allowing you to ask questions, present evidence, call witnesses, respond to evidence and make representations;
 - 8.4.3 Establishing the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement;
 - 8.4.4 Identifying whether there are further measures, such as additional training or supervision, which may improve performance;

- 8.4.5 Where appropriate, discussing targets for improvement and a timescale for review; and
 - 8.4.6 If dismissal is a possibility, establishing whether there is any likelihood of a significant improvement being made within a reasonable time and whether there is any practical alternative to dismissal, such as redeployment.
- 8.5 A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing.
- 8.6 We will inform you in writing of our decision and our reasons for it, usually within one week of the capability hearing. Where possible we will also explain this information to you in person.

9 Stage 1 hearing – first written warning

- 9.1 Following a Stage 1 capability hearing, if we decide that your performance is unsatisfactory, we will give you a first written warning, setting out:
- 9.1.1 The areas in which you have not met the required performance standards;
 - 9.1.2 Targets for improvement;
 - 9.1.3 Any measures, such as additional training or supervision, which will be taken with a view to improving performance;
 - 9.1.4 A period for review; and
 - 9.1.5 The consequences of failing to improve within the review period, or of further unsatisfactory performance.
- 9.2 The warning will normally remain active for six months, after which time it will be disregarded for the purposes of the capability procedure.
- 9.3 After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future capability proceedings.
- 9.4 Your performance will be monitored during the review period and we will write to inform you of the outcome:

- 9.4.1 If we are satisfied with your performance, no further action will be taken;
- 9.4.2 If we are not satisfied, the matter may be progressed to a Stage 2 capability hearing; or
- 9.4.3 If we feel that there has been a substantial but insufficient improvement, the review period may be extended.

10 Stage 2 hearing – final written warning

- 10.1 If your performance does not improve within the review period set out in a first written warning, or if there is further evidence of poor performance while your first written warning is still active, we may decide to hold a Stage 2 capability hearing. We will send you written notification as set out in paragraph 6.
- 10.2 Following a Stage 2 capability hearing, if we decide that your performance is unsatisfactory, we will give you a final written warning, setting out:
 - 10.2.1 The areas in which you have not met the required performance standards;
 - 10.2.2 Targets for improvement;
 - 10.2.3 Any measures, such as additional training or supervision, which will be taken with a view to improving performance;
 - 10.2.4 A period for review; and
 - 10.2.5 The consequences of failing to improve within the review period, or of further unsatisfactory performance.
- 10.3 A final written warning will normally remain active for 12 months from the end of the review period. After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future capability proceedings.
- 10.4 Your performance will be monitored during the review period and we will write to inform you of the outcome:
 - 10.4.1 If we are satisfied with your performance, no further action will be taken;

10.4.2 If we are not satisfied, the matter may be progressed to a Stage 3 capability hearing; or

10.4.3 If we feel that there has been a substantial but insufficient improvement, the review period may be extended.

11 Stage 3 hearing – dismissal or redeployment

11.1 We may decide to hold a Stage 3 capability hearing if we have reason to believe:

11.1.1 Your performance has not improved sufficiently within the review period set out in a final written warning;

11.1.2 Your performance is unsatisfactory while a final written warning is still active; or

11.1.3 Your performance has been grossly negligent such as to warrant dismissal without the need for a final written warning.

We will send you written notification of the hearing as set out in paragraph 6.

11.2 Following the hearing, if we find that your performance is unsatisfactory, we may consider a range of options including:

11.2.1 Dismissing you;

11.2.2 Redeploying you into another suitable job at the same or a lower grade;

11.2.3 Extending an active final written warning and setting a further review period (in exceptional cases where we believe a substantial improvement is likely within the review period); or

11.2.4 Giving a final written warning (where no final written warning is currently active).

11.3 Dismissal will normally be with full notice or payment in lieu of notice, unless your performance has been so negligent as to amount to gross misconduct, in which case we may dismiss you without notice or any pay in lieu.

12 Appeals

- 12.1 If you feel that a decision about poor performance under this procedure is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to the Financial Secretary within one week of the date on which you were informed in writing of the decision.
- 12.2 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.
- 12.3 We will give you written notice of the date, time and place of the appeal hearing. This will normally be two to seven days after you receive the written notice.
- 12.4 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.
- 12.5 Given the size and resources of the employer it will usually not be practicable for the appeal to be conducted by an individual who has not previously been involved in the case but it will be conducted under the supervision of a Director.
- 12.6 Following the appeal hearing we may:
 - 12.6.1 Confirm the original decision;
 - 12.6.2 Revoke the original decision; or
 - 12.6.3 Substitute a different penalty.
- 12.7 We will inform you in writing of our final decision as soon as possible, usually within one week of the appeal hearing. Where possible we will also explain this to you in person. There will be no further right of appeal.

Dated: 1st April 2013.

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES
SICKNESS ABSENCE POLICY

1 Policy statement

- 1.1 This policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 1.2 We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.
- 1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

2 Disabilities

- 2.1 We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure, particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.
- 2.2 If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your line manager.

3 Sickness absence reporting procedure

- 3.1 If you cannot attend work because you are ill or injured you should normally telephone your line manager as early as possible and no later than 9:30am. The following details should be provided:
 - 3.1.1 The nature of your illness or injury;
 - 3.1.2 The expected length of your absence from work; and
 - 3.1.3 Any outstanding or urgent work that requires attention.

4 Evidence of incapacity

- 4.1 For sickness absence of up to 7 calendar days you must complete a self-certification form which is available on the HMRC website (www.hmrc.gov.uk).
- 4.2 For absence of more than a week you must obtain a certificate from your doctor stating that you are not fit for work and the reasons why. This should be forwarded to the Financial Secretary as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

5 Unauthorised absence

- 5.1 Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.
- 5.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.

6 Sick pay

- 6.1 If you are absent from work due to an illness you are entitled to Statutory Sick Pay (SSP) provided the relevant requirements are satisfied. Qualifying days for SSP purposes are the days on which you would normally work.

7 Keeping in touch during sickness absence

- 7.1 If you are absent on sick leave you may be contacted from time to time by your Line Manager and/or the Financial Secretary of the Diocese in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
- 7.2 If you have any concerns whilst absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact the Financial Secretary of the Diocese at any time.

8 Medical examinations

- 8.1 We may, at any time in operating this policy, ask you to consent to a medical examination by an Occupational Health Specialist and/or a doctor nominated by us at our expense.
- 8.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant specialist and/or doctor.

9 Return to work interviews

- 9.1 If you have been absent on sick leave we will arrange for you to have a return-to-work interview with your Line Manager or the Financial Secretary of the Diocese.
- 9.2 A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention.

10 Sickness absence meetings procedure

- 10.1 We may apply this procedure whenever we consider it necessary, including, for example, if you:
 - 10.1.1 Have been absent due to illness on a number of occasions;
 - 10.1.2 Have discussed matters at a return-to-work interview that require investigation; and/or
 - 10.1.3 Have been absent for more than 3 days.
- 10.2 Unless it is impractical to do so, we will give you 5 calendar days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 10.3 The meeting will be conducted by your Line Manager or the Financial Secretary of the Diocese. You may bring a companion with you to the meeting.

- 10.4 You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified, you should immediately inform the individual who was due to conduct the meeting, who will seek to agree an alternative time.
- 10.5 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 5 days of a sickness absence meeting (unless this timescale is not practicable, in which case it will be provided as soon as is practicable).
- 10.6 If, at any time, your Line Manager or the Financial Secretary of the Diocese considers that you have taken or are taking sickness absence when you are not unwell, the matter may be dealt with under our Disciplinary Procedure.

11 Right to be accompanied at meetings

- 11.1 You may bring a companion to any meeting or appeal meeting under this procedure.
- 11.2 Your companion may be either a trade union representative or a fellow employee. You must confirm the identity of your companion to the manager conducting the meeting, in good time before it takes place.
- 11.3 A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.

12 Stage 1: first sickness absence meeting

- 12.1 The purpose of a first sickness absence meeting may include:
- 12.1.1 Discussing the reasons for absence;
 - 12.1.2 Where you are on long-term sickness absence, determining how long the absence is likely to last;
 - 12.1.3 Where you have been absent on a number of occasions, determining the likelihood of further absences;
 - 12.1.4 Considering whether medical evidence is required;

- 12.1.5 Considering what, if any, measures might improve your health and/or attendance; and/or
- 12.1.6 Agreeing a way forward, action to be taken and a timescale for review and/or a further meeting under the sickness absence procedure.

13 Stage 2: further sickness absence meetings

- 13.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. The purposes of further meetings may include:
 - 13.1.1 Discussing the reasons for and impact of your ongoing absence(s);
 - 13.1.2 Where you are on long-term sickness absence, discussing how long your absence is likely to last;
 - 13.1.3 Where you have been absent on a number of occasions, discussing the likelihood of further absences;
 - 13.1.4 If it has not already been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and what whether further advice is required;
 - 13.1.5 Considering your ability to return to/remain in your job in view both of your capabilities and our organisational needs and any adjustments that can reasonably be made to your job to enable you to do so;
 - 13.1.6 Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you;
 - 13.1.7 Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return to work programme;
 - 13.1.8 If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered; and/or
 - 13.1.9 Agreeing a way forward, action that will be taken and a timescale for review and/or a further meetings. This may, depending on steps we

have already taken, include warning you that you are at risk of dismissal.

14 Stage 3: final sickness absence meeting

14.1 Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure. The purpose of the meeting will be:

14.1.1 To review the meetings that have taken place and matters discussed with you;

14.1.2 Where you remain on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards your possible return to work, or opportunities for return or redeployment;

14.1.3 To consider any further matters that you wish to raise;

14.1.4 To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time;

14.1.5 To consider the possible termination of your employment.

14.2 Termination will normally be on full notice.

15 Appeals

15.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting.

15.2 An appeal should be made in writing, stating the full grounds of appeal, to the Financial Secretary within 5 days of the date on which the decision was sent to you.

15.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible.

15.4 Given the size and resources of the employer it will usually not be practicable for the appeal to be conducted by an individual who has not previously been

involved in the case but it will be conducted under the supervision of a Director.

- 15.5 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 15.6 Following an appeal the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within 5 days of the appeal meeting. There will be no further right of appeal.
- 15.7 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

Dated: 1st April 2013.

NOTTINGHAM ROMAN CATHOLIC DIOCESAN TRUSTEES
SOCIAL MEDIA POLICY

Note: this policy applies both to employees and generally in the Diocese. The references to Disciplinary and similar action will obviously only apply to employees. In the case of others alternative sanctions may be applied where available.

1 Policy statement

- 1.1 We recognise that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, Twitter, Blogs and Wikis. However, employees' use of social media can pose risks to our confidential and proprietary information and reputation and can jeopardise our compliance with legal obligations.
- 1.2 To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communication systems are used only for appropriate purposes, we expect employees to adhere to this policy.
- 1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.4 A breach of this policy by an employee will be treated as gross misconduct and will result in disciplinary action being taken against the employee under our Disciplinary Procedure.

2 Who is covered by the policy

- 2.1 This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, part-time and fixed-term employees, casual and agency staff (collectively referred to as "staff" in this policy).
- 2.2 Parties who have access to our electronic communication systems and equipment are also required to comply with this policy.

3 Scope and purpose of the Policy

- 3.1 This policy deals with the use of all forms of social media, including Facebook, LinkedIn, Twitter, Wikipedia, all other social networking sites and all other internet postings including blogs.
- 3.2 It applies to the use of social media for both work-related and personal purposes, whether during office hours or otherwise. The policy applies regardless of whether the social media is accessed using our IT facilities and equipment or equipment belonging to members of staff.

3.3 Breach of this policy may result in disciplinary action up to and including dismissal. Disciplinary action may be taken regardless of whether the breach is committed during working hours and regardless of whether our equipment or facilities are used for the purpose of committing the breach. Any member of staff suspected of committing a breach of this policy will be required to cooperate with our investigation, which may involve handing over relevant passwords and log-in details.

3.4 Staff may be required to remove internet postings which are deemed to constitute a breach of this policy. Failure to comply with such a request may in itself result in disciplinary action.

4 Personal use of social media

4.1 Personal use of social media is never permitted during working time or by means of our computers, networks and other IT resources and communication systems.

5 Monitoring

5.1 The contents of our IT resources and communication systems are our property. Therefore, staff should have no expectation of privacy in any e-mails, texts, files, data, document, fax, telephone conversation, social media post conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communication systems.

5.2 We reserve the right to monitor, intercept and review, without further notice, staff activities using our IT resources and communication systems, including but not limited to social media postings and activities, to ensure that our rules are being complied with and for legitimate purposes and you consent to such monitoring by your use of such resources and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving and printing of transactions, e-mails, texts, communications, postings, log-ins, recordings and other uses of the systems as well as key stroke capturing and other network monitoring technologies.

- 5.3 We may store copies of such data or communications for a period of time after they are created and delete such copies from time to time without notice.
- 5.4 Do not use our IT resources and communications systems for any matter that you wish to be kept private or confidential from the organisation.

6 Responsible use of social media

- 6.1 The following sections of the policy provide staff with common sense guidelines and recommendations for using social media responsibly and safely.
- 6.2 In order to protect our reputation:
 - 6.2.1 Staff must not post disparaging or defamatory statements about:
 - 6.2.1.1 Our organisation;
 - 6.2.1.2 Our employees;
 - 6.2.1.3 Suppliers, sub-contractors or anyone else who provides goods or services to our organisation; or
 - 6.2.1.4 Anyone else who is involved with or connected to our organisation.
 - 6.2.2 Staff should make it clear in social media postings that they are speaking on their own behalf. Write in the first person (i.e. use the words “I”, “me”, and “my” when expressing your views) and use your own personal e-mail address when communicating via social media.
 - 6.2.3 Staff are personally responsible for what they communicate in social media. Remember that what you write might be read by anyone for a long time. Keep this in mind before you post anything.
 - 6.2.4 If you disclose the fact that you work for our organisation as an employee, you must also state that your views do not represent those of your employer. For example, you could state, “the views in this posting do not represent the views of my employer”.
 - 6.2.5 Avoid posting comments about sensitive topics relating to our organisation. Even if you make it clear that your views on such

topics do not represent those of the organisation, your comments could still damage our reputation.

- 6.2.6 If you see content in social media that disparages or reflects poorly on our organisation, you should contact the Financial Secretary of the Diocese as soon as possible. All staff are responsible for protecting our organisation's reputation.
- 6.3 Do not post anything that your colleagues, our suppliers or anyone else involved with or connected to our organisation might find offensive, including discriminatory comments, insults or obscenity.
- 6.4 Passwords should be kept confidential and computer terminals should not be made available to unauthorised individuals.