



**Finance, Employment and General Purposes Committee**

**Disciplinary Policy**

**Date of meeting:** 26<sup>th</sup> February 2020

<b>Topic</b>	Disciplinary Policy
<b>Benefit</b>	<p>The purpose of the Disciplinary Policy is to set out the procedure for dealing with employees who fall short of the standards of behaviour in a structured and fair manner.</p> <p>This is a new policy and supersedes any previous policy that deals with Disciplinary procedures.</p>
<b>Recommendations</b>	Review and approve this policy so it can be discussed with the Unions
<b>Timing</b>	Review required.
<b>Financial implications</b>	This policy aims to reduce costs associated with poor standards and behaviour.
<b>Risk implications</b>	Not addressing disciplinary issues cause long term implications within the University. The new policy gives clear guidance for employees and line managers to ensure a fair and consistent approach to dealing with disciplinary issues.
<b>Communication and information</b>	This policy has been reviewed by the COFO and Director of HR.
<b>Equality and diversity implications</b>	As stated in the policy

**Name of author:** Tara Shaw, HR Business Partner

**Paper signed off by Head of Department** Jonathan Cheeseman, Director of HR

**Date:** 30<sup>th</sup> January 2020



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# DISCIPLINARY POLICY, PROCEDURE AND GUIDANCE

January 2020



**DISCIPLINARY POLICY, PROCEDURE AND GUIDANCE POLICY**

Responsibility for updating this document is with Human Resources.

Manager responsible for policy:	Director of Human Resources
Forum for initial approval:	FE&GP
Date implemented:	January 2020

**Introduction**

The University expects all employees to conduct themselves in an appropriate manner in their day to day work, including in their dealings with colleagues, students and external organisations. Employees are expected to adhere to the principles set out in the University's Code of Conduct and Dignity at Work Policy.

Employees should familiarise themselves with the University policies which set out expected standards of behaviour. Where employee conduct falls short of these standards, managers will attempt to resolve the matter informally where appropriate so that employees are given the opportunity to improve.

If these actions do not provide a resolution, then the Formal Disciplinary Procedure set out in this document should be followed.

The University aims to deal with all disciplinary issues in a fair and consistent manner. It recognises that, for the employee and manager concerned, involvement in a Disciplinary Procedure can be difficult and stressful. The University will therefore ensure that those involved are made aware of available guidance and support, and that disciplinary issues are dealt with as quickly as the specific circumstances allow.

**Scope and purpose**

The procedure in this document applies to all permanent and fixed term employees, except for those in a probationary period. It does not apply to self-employed people or to individuals contracted by other companies or on secondment to the University who are covered by their own employer's procedures.

The University reserves the right to implement the procedure at any stage as set out below, taking into account the alleged misconduct of an employee.

Wherever possible, disciplinary matters are managed informally. Formal action will only be taken in cases of serious and/or repeated misconduct. Where formal action is considered the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made at a disciplinary hearing.

No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty may be dismissal without notice or payment in lieu of notice.

Where time limits are referred to in the course of this procedure they may be varied by agreement between the employee and the University.

Employees have the right to be accompanied at a disciplinary hearing by: a fellow worker; a trade union official employed by the union; or a trade union official who is certified in writing by the union as having the necessary experience or training to act as a companion.

If an employee is charged with, or convicted of a criminal offence consideration will be given to what effect the charge or conviction has on the employee's suitability to do the job and their relationship with the University, other employees and customers.

Matters that the University views as amounting to disciplinary offences include (but are not limited to):

- persistent bad timekeeping;
- unauthorised absence;
- malicious damage or sabotage to the University's property;
- failure to observe the Universities procedures;
- actions which bring the University into disrepute
- serious negligence
- willful falsification of documents or claims for payment including invoices, expenses, time sheets or other work records
- sexual misconduct at work;
- abusive behaviour;
- unreasonable refusal to follow an instruction issued by a manager or supervisor;
- absences that are not genuine or not for the reason provided;
- data protection breaches and misuse of the Universities' information;
- smoking [or use of an e-cigarette] in non-designated areas of the Universities premises; and
- bribery offences under the Bribery Act 2010.

### **Raising an issue**

There are a number of circumstances in which an employment issue may be raised. Managers may become aware of issues through a number of channels and it is better to deal with them as soon as they arise.

### **Determining major and minor issues**

On becoming aware of an employee's alleged misconduct, the relevant line manager will make initial enquiries into the incident, problem or complaint as soon as possible. This will normally involve a private discussion with the individual concerned in order to establish if there is a simple explanation for their conduct or behavior. In certain cases (e.g. where current or ongoing fraud is suspected) it may be appropriate not to inform the employee at this stage in order to allow the necessary collection of data.

Determining if an issue is a major or minor one will depend on the seriousness of the complaint/allegation and its impact.

The preliminary discussion should be run along the following lines:

- the manager will outline the specifics of the allegations of the misconduct or concern to the employee
- the employee will be given the opportunity to respond and explain any factors affecting their conduct and whether the allegations are accurate
- the manager will consider the responses made by the employee and decide what action, if any, is required.

### **Informal action**

It is in everyone's best interest that issues relating to an employee's conduct are dealt with informally where possible. Informal action will be taken in the form of a confidential two-way conversation between yourself and your manager, and is most appropriate where alleged misconduct is not of a serious nature.

Your manager will explain the problem and listen to whatever you have to say about the issue. Together, you and your manager will explore support mechanisms and ways in which you can achieve the necessary improvement and how this will be reviewed to monitor/assess progress.

If during the discussion it becomes obvious that the matter may be more serious, a more formal approach is required. Prior to commencing formal action, a manager should; liaise with HR to ensure all appropriate and reasonable informal resolution has been considered; and make the employee aware that formal action is now being considered.

A record of these discussions may be shared to support the process and/or ensure clarity. Your manager will then review your progress, keeping you informed of any updates. Brief notes should be taken throughout except in the most minor cases. The outcome of the meeting including any remedial action will be clearly stated in writing by the manager. A copy will be given to the employee and a copy retained by the manager. Only letters relating to the formal procedure should be on the employee's personnel file.

### **Suspension**

There may be instances where suspension with full pay is necessary while investigations are carried out. The University has the right to suspend with full pay when there are reasonable grounds for concern, for example where relationships have broken down and in gross misconduct cases where there are risks;

- to an employee's or company's property,
- there are reasonable grounds for concerns that evidence may be tampered with, destroyed or witnesses pressurised before a disciplinary hearing,
- if there is a potential risk to the business or other employees or third parties in allowing the employee to remain at work.

Suspension should only be taken after careful consideration. Suspension is not assumption of guilt and is not considered a form of disciplinary sanction.

Approval to suspend an employee will be the responsibility of the Council members in the case of senior post holders and the Vice Chancellor, or nominated deputy in the case of all other staff.

Every effort will be taken to ensure the suspension is for as short a time as possible.

The suspension will be reviewed after 21 working days and at each review consideration will be given as to whether there is an alternative to suspension.

Employees who are suspended may not for the period of the suspension enter any building or premises occupied by the University or contact any member of staff without the express permission of the Vice Chancellor or nominated deputy. If there is a requirement to enter the premises in order for an employee to contact or consult their trade union representative or work-based colleague this will not be unreasonably withheld.

The employee will be kept informed of the progress of the investigation and will be given the option of naming a colleague to be a supporter during their suspension and the investigation.

## **INVESTIGATION**

No formal disciplinary hearing will be arranged until the matter has been investigated. Investigations shall be undertaken in an open and transparent manner.

The following post holders may need to be involved in decisions about how to proceed, but not limited to the examples illustrated;

- the Vice Chancellor (if suspension is being considered)
- Chief of Finance & Operations (if the matter relates to fraud)
- Deputy Vice Chancellor (if the matter relates to academic standards)
- The University Registrar and Secretary (if the matter relates to Governance or diversity and equality)

A staff member should be made aware that an investigation will be undertaken, and should be provided with a brief summary of the reasons for this and the practical measures involved.

Investigations should be made as quickly as is practicable and without unreasonable delay in order to decide whether there is a case to answer. Unavoidable delays shall be reported on and wherever possible shall be rectified as soon as possible by steps agreed with all parties.

The investigation process will depend on the nature of the alleged misconduct, the initial evidence against the member of staff, and whether the individual has admitted to the misconduct. In cases where the facts are very clear and not in dispute, the investigation will be very short and it may be appropriate for it to be undertaken by the manager who receives the allegation(s).

If following investigation there is found to be a case to answer, informal action may be taken, or where appropriate a formal disciplinary meeting will be arranged.

### **Investigation interviews**

There is an expectation that all employees will cooperate with an investigation, and provide honest answers to the questions put to them.

If an interviewee finds it difficult or distressing, everything will be done to support that person. There is generally no requirement for witnesses to be accompanied at an interview but they can bring along a work colleague, trade union representative or an official employed by a trade union if they wish. The supporter cannot take part in the interview or answer questions on behalf of the employee and will be bound by the same confidentiality requirements.

Evidence given by witnesses may be included in the outcome report; their statements will not be released unless the matter is to be considered at a hearing.

The employee who is the subject of the investigation will generally be interviewed towards the end of the investigation, after the investigator has interviewed all potential witnesses. They will be kept informed of progress and when they might reasonably expect to be seen.

The purpose of note taking during the investigation is not to record verbatim what is said, the intention is rather to capture the main points. The interviewee will be given the opportunity to check the notes and make amendments should anything be missed or recorded incorrectly – the amendments will be agreed by those present. The record will be signed by all parties present.

### **Outcome of the investigation**

A written report will be prepared after the investigation. This will:

- show the facts/evidence obtained
- highlight all the relevant circumstances to the allegation
- explain why the evidence supports the allegation, or does not support it.

The report will be considered by the lead manager/investigator and a HR Business Partner who will consider what the next steps will be. The possible outcomes are:

- no further action
- informal action
- a formal hearing.

### **No further action**

It may be concluded that the issue does not justify further action. If the employee is suspended, the manager will contact them immediately and arrange for them to return to work. The manager will need to carefully plan the reintegration of the previously suspended employee if they have been away from work for some time.

### **Informal action**

A record of any management action taken should be made by the manager and a copy given to the employee.

### **Formal Hearing**

Where a formal hearing is deemed appropriate HR will arrange for this to take place.

## **PROCEDURE FOR DISCIPLINARY HEARING**

Where, upon completion of an investigation, there are reasonable grounds to believe that there is a disciplinary case to answer, the employee will be invited to attend a disciplinary hearing before a manager of a similar level to the employee's departmental manager.

In the event of a disciplinary hearing taking place the University will:

- give the employee a minimum of five working days' notice of the hearing;

- tell the employee the purpose of the hearing, its possible consequences and that it will be held under the University's disciplinary procedure;
- explain the employee's right to be accompanied at the hearing;
- give the employee written details of the nature of their alleged misconduct; and
- provide to the employee all relevant information (including statements taken from any fellow employees or other persons that the University intends to rely upon against the employee) not less than five working days in advance of the hearing.

Where the employee is unable to attend a disciplinary hearing and provides a good reason for failing to attend, the time and/or date of the hearing will be rearranged within 5 University working days or as soon as reasonably practicable.

Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, the rearranged hearing will take place in the employee's absence and will be considered based on the evidence available. The employee's companion may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

Employees may bring a companion, this may be a colleague, trade union representative, or an official employed by a trade union to the hearing. The employee should request to the University that they wish to be accompanied and provide the name of the companion in advance where possible and state whether they are a fellow worker or trade union official or representative. If the employee wishes to alter their choice of companion, they may do so.

Where the chosen companion is unavailable on the day scheduled for the hearing, the employee may request that the hearing be rescheduled to an alternative time that is reasonable and within five working days of the scheduled date.

Where an employee intends to call relevant witnesses, they should give advanced notice of this to the HR Department.

### **Role of companion**

The employee's companion has the right to address the hearing to assist in putting forward the employee's case, sum up the case and respond on the employee's behalf to any view expressed at the hearing. The companion may also confer with the employee during the hearing. However, there is no requirement for the University to permit the companion to answer questions on behalf of the employee, or to address the hearing where the employee indicates that they do not wish this.

### **Recording of meetings**

The employee, or any person acting on their behalf, is not normally permitted to record electronically any meeting held by the University as part of the disciplinary process. This is to encourage openness and full participation by all parties during meetings. Any breach of this provision may lead to disciplinary action against the employee, up to and including dismissal.

In certain limited circumstances, the University may permit the meeting to be recorded electronically. For example, where the employee is disabled, it may be appropriate as a reasonable adjustment under the Equality Act 2010. Where the University permits the meeting to be recorded electronically, it will take responsibility for making the recording.

## **Data protection**

The University processes personal data collected during the investigation stage and any subsequent stages of disciplinary action in accordance with its data protection policy. In particular, data collected as part of the investigation stage and any subsequent stages of disciplinary action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the disciplinary procedure. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

## **Membership of the Disciplinary Panel**

A disciplinary hearing will normally be conducted by a relevant senior manager.

- The Chair must be the Vice Chancellor (grade 9 and above) or nominated deputy (Member of VCEG) if dismissal is a potential outcome. (Grade 9 and below).
- A second independent manager
- A HR Business Partner

The prime role will be to contribute specialist knowledge of procedural issues, relevant policies and employment matters. They will participate fully in the discussions about the case, but will not be party to the final decision.

- A note-taker

The complete background of a case may be requested at an appeal hearing or at an employment tribunal. It is therefore essential that comprehensive records are made of any hearing. Notes will not be verbatim.

Any member of management responsible for the investigation of the disciplinary offence(s) shall not be a member of the panel, although such managers may present any relevant facts and material to the disciplinary hearing.

## **The disciplinary hearing**

The employee will be entitled to be given a full explanation of the case against them and be informed of the content of any statements provided by witnesses. They will be permitted to;

- set out their case and answer any allegations.
- be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses.
- be given the opportunity to raise points about any information provided by witnesses.

Where the University or the employee intends to call relevant witnesses, they should give advance notice that they intend to do this.

The University may adjourn the disciplinary proceedings if it appears necessary or appropriate to do so (including for the purpose of gathering further information). The employee will be informed of the likely period of any adjournment. If further information is gathered, the employee will be allowed a reasonable period of time, together with their companion, to consider the new information prior to the reconvening of the disciplinary proceedings.

As soon as possible after the conclusion of the disciplinary proceedings, the panel will convey the decision to the employee and will also inform the employee what disciplinary action, if any, is to be taken. The decision will be confirmed in writing. The employee will be notified of their right of appeal under this procedure.

### **Possible outcomes**

The panel will consider any evidence and reach a decision based on the balance of probability.

The disciplinary procedure allows for the following penalties to be applied:

- no further action
- management action – where an alleged offence is proved but an informal reprimand is an appropriate outcome
- disciplinary action

### **Disciplinary action**

Where, following a disciplinary hearing, the University reasonably believes that the employee has committed a disciplinary offence, the following disciplinary action may be taken:

#### **Oral Warning**

Where a minor offence or offences have been committed, a recorded oral warning may be given. The warning will:

- set out the nature of the offence committed;
- inform the employee that further misconduct is liable to result in further disciplinary action under this procedure;
- the warning will remain "live" for 6 months, after such period the University will review the warning/the warning will automatically lapse; and
- state that the employee may appeal against the warning.

#### **First Written Warning**

Where either a more serious disciplinary offence has been committed, or following a recorded oral warning that remains "live", a further minor offence or offences have been committed by an employee, the employee will receive a first written warning. The warning will:

- set out the nature of the offence committed;
- inform the employee that further misconduct is liable to result in further disciplinary action under this procedure;
- the warning will remain "live" for 6 months, after such period the University will review the warning/the warning will automatically lapse; and
- state that the employee may appeal against the warning.

#### **Final written warning**

Where a serious disciplinary offence amounting to gross misconduct has been committed, thereby justifying summary dismissal, but the University decides, after taking into account all relevant

circumstances, that a lesser penalty is appropriate, or, where an employee commits further disciplinary offences after a first written warning has been issued and remains "live", a final written warning may be given. Such a warning will:

- set out the nature of the offence committed;
- inform the employee that further misconduct is likely to result in their dismissal;
- the warning will remain "live" for a period of 12 months, after such period the University will review the warning/the warning will automatically lapse; and
- state that the employee may appeal against the warning.

### **Dismissal**

Where the employee has committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a final written warning given, the University may elect to dismiss with notice or payment in lieu of notice.

Where the University reasonably believes that an employee has committed an act of gross misconduct, the employee may be summarily dismissed without notice.

### **Disciplinary Sanctions**

Where a final written warning is given to an employee above, the University may also impose on the employee:

- disciplinary suspension without pay;
- loss of seniority;
- loss of salary increment;
- in line with any provision in the contract of employment, transfer to a job of a lower status.

The above sanctions may be imposed in conjunction with other forms of disciplinary action, or as an alternative to dismissal. Any sanction will be confirmed in writing, and the procedure and time limits for appeal set out.

### **Expired warnings**

Expired warnings will be retained on an employee's personnel record as it may be necessary to take account of the warning when considering future conduct, for example establishing a pattern of behaviour or an awareness of the relevant rules. Documentation relating to the expired warning will not normally be retained unless there is a justification for this.

### **Gross misconduct**

Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between the employee and the University. In the event that an employee commits an act of gross misconduct, the University will be entitled to terminate summarily the employee's contract of employment without notice or pay in lieu of notice.

Matters that the University views as amounting to gross misconduct include (but are not limited to):

- theft or fraud;

- other offences of dishonesty;
- unauthorised absence;
- falsification of a qualification that is a stated requirement of the employee's employment or results in financial gain to the employee;
- falsification of records including reports, accounts, expense claims or self-certification forms, whether or not for personal gain;
- data protection breaches, disclosure of company documents, trade secrets and other confidential information to unauthorised third parties;
- indecency;
- physical violence or bullying;
- deliberate damage to or misuse of property;
- gross insubordination;
- the use or distribution of illegal drugs while at work;
- serious incapability at work brought on by alcohol;
- possession, custody or control of illegal drugs on the organisation's premises;
- serious breach of the organisation's rules, including, but not restricted to, health and safety rules and rules on computer use;
- gross negligence;
- conviction of a criminal offence that is relevant to the employee's employment;
- misuse or abuse of social media in and outside work;
- deliberately accessing pornographic, offensive or obscene material;
- making covert recordings of colleagues or managers;
- conduct that brings the organisation's name into disrepute; and
- unlawful discrimination or harassment.

Other acts of misconduct may come within the general definition of gross misconduct.

### **Appeals**

An employee may appeal against any disciplinary sanction imposed against them. Wherever possible, the appeal will be heard by an appeal panel.

The appeal is not a rehearing of the original hearing, but rather a consideration of the specific area with which the staff member is dissatisfied in relation to the outcome of the original hearing. The appeal panel will therefore confine discussion to those specific areas rather than reconsider the whole matter afresh.

### **Membership of the Appeal Panel (action short of dismissal)**

- The Panel Chair - a relevant senior manager who has the authority to agree the outcome and who has not previously been involved in the case.
- A second independent manager – who has had no previous involvement with the case.
- A HR Business Partner/Advisor – whose prime role will be to contribute specialist knowledge of procedural issues, relevant policies and employment law matters. They will participate fully in any discussions but will not be party to the final decision.
- A note taker – The complete history and background of a case may be requested at an employment tribunal. It is therefore essential that comprehensive records are made at any level of disciplinary action.

## **The Appeal Panel (dismissal)**

The appeal panel will consist of a member of VCEG and Council Member (employees on Grade 8 and above), and be advised by a HR Business Partner/legal representative who will contribute specialist knowledge but will take no part in the decision.

Employees may bring a companion, this may be a colleague, trade union representative, or an official employed by a trade union to the hearing. The employee should request to the University that they wish to be accompanied and provide the name of the companion in advance where possible and state whether they are a fellow worker or trade union official or representative. If the employee wishes to alter their choice of companion, they may do so.

The appeal chair is obliged to consider any representations made by the employee, the employee's companion and those of the manager who conducted the investigation and the manager who conducted the disciplinary hearing and imposed the disciplinary sanction.

Should any new evidence be introduced on appeal, the employee will be given the opportunity to consider it and raise comments. Once the relevant issues have been thoroughly explored, the appeal Chair will decide whether or not to uphold the disciplinary sanction. In the event that the appeal Chair finds for the employee, the appeal Chair shall allow the appeal and shall remove all records of the disciplinary sanction from the employee's record. In the event that the appeal Chair does not find for the employee, the senior manager must uphold the disciplinary sanction. In the event that the appeal Chair partially finds for the employee, the appeal Chair shall partially allow the appeal and impose a lesser disciplinary sanction.

## **Lodging an appeal**

The employee will have the right of appeal against any formal action taken under the disciplinary procedures. If the employee wishes to appeal they must do so in writing within 10 working days of the date on which the decision is confirmed in writing.

When lodging an appeal, the employee should state:

- the grounds of appeal; and
- whether they are appealing against the finding that they committed the alleged act or acts of misconduct, defects in the procedure or against the level of disciplinary sanction imposed.

An employee who wishes to appeal against dismissal should do so by writing to the Clerk to the University Council and the appeal will be heard by a panel of a member of VCEG and a Council Member for employees on Grade 8 and above.

An employee who wishes to appeal against action short of dismissal should do so by writing to the Director of Human Resources.

Following notification an appeal hearing will be arranged. The employee will be notified in writing giving at least 5 working days' notice. The notice of the appeal will include:

- a clear, statement of the decision which has led to the appeal
- the date, time and location of the hearing
- the names of the appeal chair and panel members
- the name of the person who will represent the management position

- the employee's right to be accompanied
- the potential outcomes
- that there is no further right of appeal

A full set of documentation is to be considered at the appeal including any new statements or evidence will be sent to all parties.

Employees have the right to be accompanied by a work colleague, a trade union representative, or an official employed by a trade union. If the employee wishes to attend the appeal but is absent due to sickness, or some other reason or their companion is unable to attend, the meeting may be postponed and will be rearranged within 5 working days or as soon as practicable. If the employee or their companion is unable to attend on the second occasion their case will be considered based on written documentation. Advice should be sought from HR before deciding to proceed with an appeal in the absence of the employee and/or their representative.

Witnesses may only be called with the permission of the Appeal Chair which shall usually only be given where there was good reason for the witnesses not being called to give this evidence at the disciplinary hearing. If the staff member requests a witness to be called, they should name the individual and explain the reasons for the request in the grounds for appeal.

### **Documents**

All parties to the appeal hearing will have available all of the documents presented to the original hearing plus the following:

- the record of the original hearing
- the letter of appeal and information submitted by the employee
- a statement from the original management representative in response to the grounds for appeal.

### **New evidence**

New evidence may be considered subject to the requirement that any evidence is submitted before the hearing. Where new evidence is submitted it should state clearly what the evidence is and why it is believed it will alter the original decision.

### **Possible outcomes**

Upon completion of the appeal, the appeal Chair will convey their decision to the employee. The decision will be confirmed in writing within 5 working days of the appeal. The employee may refer the matter to the final appeal stage.

The outcome will be either:

- the case against the employee is upheld (in whole or in part); the sanction will then be the same or a lesser penalty
- the case against the employee is not upheld and the sanction is overturned.

In the case of a dismissal, the appeal does not have to take place before the dismissal takes effect although wherever possible this will be preferred. If the appeal fails, the effective date of termination will stand.

The outcome of the appeal will be confirmed in writing.

### **Re-hearing**

**In cases where there is new evidence or a need to re-check evidence a re-hearing may be allowed.**

As with the first appeal, for the final appeal stage the employee should put the grounds of a re-appeal in writing and send this to Director of Human Resources. The employee must provide written notice of the appeal within five working days. An appeal hearing will be arranged with a senior director and will take the same form as the first appeal hearing. The result will be notified to the employee in writing. The outcome will be final.

Where there is an appeal against a dismissal, an employee will not be entitled to be paid or reinstated (unless they are entitled to notice) between the date of dismissal and the conclusion of the appeal process. In the event however that the decision to dismiss is overturned on appeal, the employee will be reinstated with immediate effect and they will be paid for any period between the date of the original dismissal and the successful appeal decision. Their continuous service date will not be affected.

### **Miscellaneous**

If an employee who is an accredited representative of a trade union recognised by the University for collective bargaining purposes is suspected of having committed a disciplinary offence, the University will take no action under this procedure (with the exception of suspending the employee in a case of suspected or known gross misconduct) until the University has had a chance to discuss the matter, with the prior agreement of the employee, with a full-time official of that trade union.

This procedure will be periodically reviewed. Any amendment to it will be notified to employees in writing by the Director of Human Resources and such written advice will inform employees as to the date when any amendment comes into effect. This may be by means of the University's intranet or via use of notice boards or via email.

This policy is non-contractual and the University may make changes to it from time to time, in consultation with the University recognised trade unions.