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Principles

- 4.1 *Fairness:* This procedure should be applied consistently, promptly, impartially, reasonably and without discrimination. Annual monitoring will be undertaken to ensure action initiated and any sanctions issued do not impact unfairly on any one group or in any one area. www y y y
- 4.2 *Confidentiality:* Information relating to an allegation of misconduct should only be

5.1 It is part of the normal supervisory process that managers bring to the attention of employees the standards required and any incidences of failure to meet those

also suspend a member of staff. Exceptionally, it may be necessary for a Head of Department to send an employee home before being able to consult the Director of Human Resources.

- 5.11 The suspension should last only as long as is necessary and should be reviewed at regular intervals (at least on a monthly basis) by the suspending manager. The outcome of such a review should confirm whether the suspension should continue, be converted to other temporary working arrangements or be lifted. The outcome of the review should be confirmed in writing to the employee.
- 5.12 If an employee has been suspended, or where other limitations have been placed on accessing documents or witnesses, the employee should discuss reasonable access to facilities with an HR Advisor, to enable a fair response to any allegations.
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- 5.13 Suspension without pay will occur where an employee is unable to provide valid proof of their right to work in the UK or where the evidence provided requires further

to work cannot be verified, UCL will suspend pay without delay, as failure to do so would be in breach of the Immigration Act 2016. The conditions of the suspension without pay should be confirmed in writing at the earliest possible opportunity.

- 5.14 It may be necessary for UCL to suspend without pay an employee whilst right to work information is being verified. Under such circumstances any pay lost during a period of suspension may be reimbursed although no pay can be issued for any period during which an employee does not have the right to work in the UK.
- 5.15 In the event that, under Immigration rules, an employee ceases to be entitled to work in the UK, they will be dismissed without notice. There will be no Pay in Lieu of Notice under such circumstances. An employee whose employment has been terminated as

5.19 If, following investigation, it is considered that the matter may be more appropriately dealt with under a different procedure, e.g. capability, the investigation report shall be used at any Hearing processes continued under the appropriate procedure.

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- 5.20 Where, following receipt of an investigation report, the Head of Department decides that there is a case to answer they should establish a disciplinary hearing. The process for establishing and conducting a disciplinary hearing can be found at <u>x</u> and is also shown in the flow-chart at <u>x</u>
- 5.21 For staff covered by Statute 18 formal disciplinary action that may result in an oral or written being issued shall be managed in line with the provisions of this policy and procedures. A Hearing will normally be chaired by the Head of Department (except where natural justice dictates otherwise) and an Appeal heard by a Dean or Vice-Provost. Serious disciplinary matters, including all allegations that may result in dismissal, shall be dealt with under the provisions of Statute 18 Part III, paragraphs 14-20.
 - If a hearing decides that disciplinary action against an employee is justified a sanction should be awarded from the list that can be found at <u>x</u>

An employee has the right to appeal against any formal disciplinary sanctions issued. The Appeals procedure can be found outlined at <u>x</u>

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7.1 The HR D eals