



LEEDS
BECKETT
UNIVERSITY

Disciplinary Rules

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Disciplinary Rules

1. Introduction

- 1.1 These Disciplinary Rules are intended to give all employees of our University an understanding of the standards of conduct and performance expected of them and an indication of action and/or behaviour that is not acceptable. The examples within this document are not exhaustive or exclusive and are by way of illustration only. They should, however, be sufficient to provide employees with necessary guidance on conduct.
- 1.2 An investigation would be undertaken prior to disciplinary action being taken against any employee, in accordance with our University's Disciplinary Procedure, with appropriate reference to any other relevant University policies and procedures. The Disciplinary Procedure is a separate document available to all employees (available on the People Team webpages or by contacting a member of the People Team).
- 1.3 Disciplinary rules and procedures are necessary for promoting orderly employment relations as well as fairness and consistency in the treatment of individuals. Rules set standards of conduct and performance at work; procedures help to ensure that standards are followed and provide a fair method of dealing with alleged failures to observe them. Many issues that can potentially lead to misconduct or unsatisfactory performance are dealt with through the normal day to day discourse between managers and staff. However, sometimes it is appropriate and necessary to use our University's Disciplinary Procedure.
- 1.4 The types of conduct which may lead to disciplinary action being taken are set out below.

2. Misconduct

- 2.1 Misconduct would only result in dismissal if the employee has current written disciplinary warning(s) already on record.
- 2.2 Examples of misconduct include:
 - Failure to conform to attendance requirements where these are reasonably required. Examples include: unauthorised absenteeism, lateness, leaving work without permission, overstaying lunch breaks or failure to observe the laid down procedures, such as:
 - recording of working time and attendance,
 - notification and reporting of sickness, and
 - regulations relating to time off work or release from duties (for example abuse of annual leave or authorised time off).
 - Failure to conform to agreed working practices, where these are reasonably required.
 - Failure to comply with our University or School/Service policies and procedures.
 - Refusal or failure to carry out a reasonable instruction.

- Failure to take reasonable care of University property or using University property, equipment or transport for private use without authorisation **or** the inappropriate use of our University's time in doing so.
- Making malicious and inappropriate remarks through email and internet (including social media such as Facebook) about work colleagues, students, other individuals, associate bodies or our University.
- Bringing our University into disrepute
- Breach of our University's policy on Data Protection, including disclosing confidential information without authorisation.
- Deliberate and wilful conduct which disrupts the work effort of others.
- Secondary employment, without the necessary approvals, which conflicts with the interests of our University.

NOTE – The above examples are not exhaustive or exclusive and other offences deemed to be of a similar order will be dealt with accordingly.

Also depending on the seriousness of the offence any of the examples outlined above may be treated as gross misconduct.

3. Gross Misconduct

3.1 Gross Misconduct is deemed to be misconduct which is so serious as to destroy the trust and relationship between the employee and our University, making continuous employment impossible. Following an investigation, a finding of Gross Misconduct may justify summary dismissal (i.e. without notice). Employees should be aware that they may also be liable to dismissal on the grounds of cumulative misconduct when the employee has received previous written warnings that remain current.

3.2 Examples of Gross Misconduct include:

- Theft or misappropriation of University property whilst engaged on University business or involving theft from fellow employees, students or members of the public.
- Obtaining money, property, confidential information or material advantage from our University or from any of our associate bodies, students, employees or members of the public, through fraud.
- Offer, gift or solicitation or the acceptance of any bribe, whether cash or other inducement, to or from any person or company, public or private, by the employee for whatever reason, in order to gain any commercial, contractual or regulatory advantage for our University in a way which is unethical or in order to gain any personal advantage, pecuniary or otherwise, for the employee or anyone connected with the employee.

- Deliberate falsification of claims (though electronic or paper based systems) for earnings and expenses including for example: work records, time sheets, attendance records, travel expenses or subsistence claims.
- Incapacity to carry out duties of the post due to drunkenness or illegal drug or substance abuse.
- Deliberate and wilful misuse of our University's online facilities (email, internet), inside or outside of the workplace, such as:
 - creating, downloading, displaying, producing or circulating any offensive material, including materials of a pornographic or discriminatory nature;
 - any potentially criminal acts.
- A significant or fundamental neglect of duty and responsibility, including a significant failure to carry out a reasonable management instruction.
- A significant, fundamental or persistent breach of our University or School/Service policies and procedures, including health and safety rules and regulations.
- Discrimination, harassment, victimisation or bullying of any work colleagues, students and other individuals.
- Assault, fighting or engaging in indecent or threatening behaviour while on University premises or whilst engaged on University business.
- A criminal offence which renders the employee unsuitable for continued employment.
- Deliberate and malicious damage to or misuse of University property.
- Deliberate and significant or fundamental breach of confidentiality.
- Behaviour or acts which have or may bring the University into serious disrepute.

NOTE – The above examples are not exhaustive or exclusive and other offences deemed to be of a similar order will also be treated as gross misconduct.

Reviewed February 2013