

**PROCEDURE FOR DISMISSAL ON GROUNDS OF SOME OTHER SUBSTANTIAL REASON
OR STATUTORY BAR (Regulation 36)**

1. INTRODUCTION

3. RIGHT TO BE ACCOMPANIED

- 3.1 Members of staff may be accompanied at formal meetings or hearings under this Procedure by a colleague employed by the University or a trade union representative. The companion will be able to confer with the member of staff during the meeting or hearing and will be allowed to address the meeting or hearing in order to put forward and sum up the member of staff's case, respond on the member of staff's behalf to any view expressed at the hearing and ask questions of clarification. The companion will not be able to answer questions on the member of staff's behalf.
- 3.2 Should the chosen companion be unavailable to attend the meeting or hearing on the first notified date, the member of staff shall immediately request a postponement by proposing an alternative date and time, which should be within five days of the date originally notified. Where this is not possible, the member of staff shall choose an alternative person to accompany him/her to the meeting or hearing.
- 3.3 The member of staff and companion shall make every effort to attend meetings or hearings under this Procedure. It is the member of staff's responsibility to notify his/her chosen companion of the details of the meeting or hearing including the date, time and location of the meetings as well any relevant documentation relating to his/her case.
- 3.4 If a member of staff or his/her companion becomes unable to attend any meeting or hearing for reasons that were unforeseeable at the time of arranging the meeting, the member of staff will be notified of a new date, time and location for the meeting. If a member of staff or his/her companion fails to attend a meeting or hearing without good reason, the University reserves the right to proceed with the meeting or hearing in the absence of the member of staff or his/her companion.

4. PROCEDURE

- 4.1 The Director of Human Resources or his/her delegate will write to the member of staff setting out the reasons for the proposed termination of the member of staff's employment and invite him/her to a meeting with a nominated person (accompanied by an HR representative) to discuss that proposal. The member of staff will be provided with copies of any relevant documentation to be considered at the meeting.
- 4.2 The member of staff will be advised of his/her right to be accompanied under paragraphs 3.1 to 3.4 to above.
- 4.3 At the meeting, the reason for the proposed dismissal will be explained to the member of staff, who will have the opportunity to respond before any decision is taken.
- 4.4 Following the meeting, the member of staff will be informed of the decision taken. If his/her employment is terminated, he/she will be informed whether the dismissal is on notice or with a payment in lieu of notice, and will be advised of his/her right of appeal.

5. APPEALS

- 5.1 A member of staff who wishes to appeal against a decision taken under paragraph 4.4 above should do so in writing to the Director of Human Resources within 10 working days of receipt of the decision. The member of staff should set out the grounds of his/her appeal in full.
- 5.2 An appeal shall usually be a review rather than a re-hearing of the case.

- 5.3 The person whose decision is being appealed shall be asked to provide written comments on the grounds of appeal. A copy of these written comments will be provided to the member of staff in advance of the appeal hearing.
- 5.4 (a) Where the