

DISCIPLINARY CODE OF CONDUCT

Misconduct

The following are examples of misconduct which will lead to investigation under the Disciplinary Policy and may result in disciplinary action being taken against employees. It is not intended to be an exhaustive list of the types of behaviour which the University may treat as misconduct:

Inappropriate Behaviour, Bullying, Harassment and other Sexual Misconduct

- Harassment or other inappropriate behaviour based on an individual's personal characteristics¹
- Any bullying, intimidation, taunting, verbal abuse, abusive behaviour or the use of any violence towards any person in the course of work-related duties
- Behaviour which could bring the University into disrepute – this includes inappropriate behaviour on social networking sites

Other types of Misconduct

- Persistent bad timekeeping
- Unauthorised absence
- Minor damage to University property
- Failure to observe University procedures
- Unreasonable refusal to follow an instruction issued by a manager or supervisor
- Poor attendance
- Smoking in non-designated areas of the Campus
- Breach of the employee's obligations set out in their terms and conditions
- Criminal or other dishonest acts
- Dangerous or inconsiderate driving, including speeding, on University premises
- Any unauthorised interference with, processing or destruction of software or paper and electronic records and documents held by the University
- Breach of security such as loss of or unauthorised sharing of confidential data
- Any other behaviour as the University reasonably believes to be misconduct

Gross Misconduct

Gross misconduct is misconduct of such a serious nature that it fundamentally breaches the contractual relationship between the employee and the University. In the event that an employee commits an act of gross misconduct the University is entitled to dismiss the employee without notice (summary dismissal). Some examples of gross misconduct which might constitute good cause for summary dismissal are set out below. This list is not intended to be exhaustive.

Inappropriate Behaviour, Bullying, Harassment and other Sexual Misconduct

Sexual Misconduct and inappropriate behaviour covers a broad range of inappropriate, unwanted, behaviour. From the most severe forms of sexual violence including rape and sexual assault, it extends to unwanted touching, stalking, abusive or degrading remarks and across the vast range of inappropriate behaviour in between.

Examples include:

- Bullying, which may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power to undermine, humiliate, denigrate or injure the recipient. *For further details and examples, see the [Global Grievance Policy on the HR Policy Page](#) under Discipline and Grievance.*
- Harassment, identified as unwanted conduct related to a relevant protected personal characteristic, which has the purpose or effect of violating an individual's dignity or

¹ Protected characteristics in the UK are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual *For further details and examples, see the [Global Grievance Policy on the HR Policy Page](#) under Discipline and Grievance.*

- Harassment based on an individual's personal characteristics²
- Serious breach of University Grievance Policy
- Assault or attempted assault or physical violence
- Unwanted physical contact or physical attack
- Verbal abuse or threats
- Inappropriate or sexual innuendo, comment or "banter"
- Sharing, or threatening to share intimate photos or videos without consent
- Online harassment through social media for example, email, instant messaging, social networking websites (e.g., Facebook, Twitter, blogs), or text messages, What's App, Instagram or any other social networking app. This includes making or sending disrespectful or negative comments.
- "Grooming"; i.e., when someone builds a relationship, trust and emotional connection with a child, young person or adult so they can manipulate, exploit and abuse them.
- Abuse of power from an employee in a position of influence over another, whether a more junior member of staff, a student or casual worker and regardless of the gender of either party
- Evidence of having accessed inappropriate sites at work or at home, such as pornography or child abuse
- Any other behaviour as the University reasonably believes to be inappropriate behaviour or sexual misconduct

Other Types of Gross Misconduct

- Serious negligence resulting in unacceptable loss, damage or injury
- Intentional serious breach of University regulations or improper conduct in relation to job responsibilities
- Bringing the University into serious disrepute – this includes inappropriate behaviour on social networking sites
- Theft, fraud or deliberate falsification of records or documents created or used in the course of University business
- Malicious damage to University property
- Intentional and or malicious refusal to comply with reasonable instructions or requests made by a manager within the work place
- Incapability to work due to being under the influence of alcohol/illegal substances (see the University's obligations under its Alcohol, Drugs and Substance Misuse Policy and Procedures)
- Any breach of health and safety rules which places the member of staff or others in danger
- Intentional misuse of confidential information of the University
- Fraudulent misuse of the University's property or name
- Serious breach of security such as loss of or unauthorised sharing of confidential data
- Unauthorised entry to computer records including inappropriate use of data contained within a University system that an employee may have authorised access to.
- Any other behaviour as the University reasonably believes to be potential gross misconduct

² See Note 1 above

