REGULATION 36 PROCEDURE FOR DISMISSAL ON GROUNDS OF SOME OTHER SUBSTANTIAL REASON OR STATUTORY BAR

1. **INTRODUCTION**

- 1.1 This Procedure sets a procedural framework for considering the dismissal of members of staff on grounds other than those for which other specific procedures have been adopted by the University. Its purpose is to ensure that such cases are considered fairly, that (save as otherwise specified in this Procedure) no decision is taken unless the member of staff has had the opportunity to make representations regarding his/her proposed dismissal, and to provide for a right of appeal.
- 1.2 This Procedure applies when it is proposed to terminate the employment of any member of staff for reasons *other* than :
 - (i) misconduct;
 - (ii)

cover the absence of a member of staff (the substantive post holder) - for example during the substantive post holder's absence on research or sabbatical leave, secondment, or maternity leave - on the basis that the substantive post holder is due to return to his/her employment or if the substantive post holder is not so returning, that the substantive post is to be advertised;

(ii) where the member of staff's employment cannot be continued without the

and that nothing in this Procedure shall preclude such collective consultation taking place.

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 wilnied7iA11(o)-13(att)-7(en)3(d)-8()-2] TJ1(en)-3(e)-100 i2()] BT187.1uD/e