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- The main objective of instigating the procedure of poor
performance is corrective rather than punitive, with the aim of
assisting the employee to achieve and maintain the required
standards of performance.
- No disciplinary action will be taken until the matter has been
fully investigated.
- At every stage employees will have an opportunity to hear the
case against them, state their case and (with the exception of
Stage 1) be accompanied by a fellow employee (who may also be
a trade union or employee representative).
- Employees have the right to appeal against dismissal or other
formal disciplinary action in the manner provided below.
- The procedure may be implemented at any stage if the
employee’s conduct or performance warrants it.

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Gross Misconduct or otherwise constitutes a serious complaint
relating to the employee’s appointment or employment.

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- serious act of insubordination.
2.11.2 In sub-paragraph 2.11.1:
2.11.2.1 “capability”, in relation to an employee, means capability
assessed by reference to skill, aptitude, health or any other
physical or mental quality; and
2.11.2.2 “qualifications”, in relation to an employee, means any degree,

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2.12.7 Where notice was served by the employee outside the 28 day period
required, the Appeal Chair will only allow the appeal to proceed if he
or she considers that justice and fairness so require the appeal to be
heard.
2.13 Appeal Procedure
2.13.1 An appellant is entitled to be represented by another person, whether
such person be legally qualified or not, in connection with and at any
hearing of his or her appeal.
2.13.2 An appeal shall not be determined without an oral hearing at which
the appellant, and any person appointed by him or her to represent
him or her are entitled to be present and, with the consent of the
person or persons hearing the appeal, to call witnesses.
2.13.3 Full and sufficient provision is made for postponements, adjournments,
dismissal of the appeal and for the correction of accidental errors.
2.13.4 The Appeal Chair may set appropriate time limits for each stage
(including the hearing itself) to the intent that any appeal shall be
heard and determined as soon as reasonably practicable.
2.13.5 The Appeal Chair shall ensure that the requirements of subparagraphs
2.13.1 to 2.13.4 are followed and shall make any further requirements
he/she decides are appropriate, provided such requirements are
consistent with sub-paragraphs 2.13.1 to
2.13.4 above and the Order.
2.13.6 The person or persons hearing the appeal may allow or dismiss an
appeal in whole or in part or remit an appeal for re-hearing by a
differently constituted Tribunal.
2.14 Redundancy and/or Incapability
2.14.1 This policy does not restrict the powers of the School to dismiss
members of the academic staff on the grounds of redundancy
and/or incapability in accordance with the provisions of the Statute.
2.14.2 This procedure may be varied from time to time by the Board of
Management.