



# ASIAN UNIVERSITY FOR WOMEN

## Staff Handbook 2019/20

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## **1 INTRODUCTION**

We warmly welcome all colleagues to the AUW community. This handbook includes information for faculty and staff about the university's ideals, working conditions, HR policies and procedures and employment benefits. It is a general guide for staff. Line managers are available for further guidance, in connection with HR.

The handbook is not an employment contract or an assurance of continued employment. Policies and procedures may be changed from time to time and the current edition of the handbook is published on the university web site.

### **1.1 University Mission and ideals**

The mission of Asian University for Women is to educate women who will be skilled and innovative professionals, service-oriented leaders in the businesses and communities in which they will work and live, and promoters of intercultural understanding and sustainable human and economic development in Asia and throughout the world.

The Asian University for Women is a centre of learning for young women where attention is focused on the development of an individual as a whole, including personal and intellectual growth. AUW aims to promote qualities of rigorous scholarship, the spirit of community service. AUW aspires to act with integrity, honesty, wise use of available resources, humility, belief in equity and fairness, respect and pursuit of excellence. The University asks all employees and managers to try to make these qualities apparent in their own attitudes and conduct.

Employees and managers will, for example:

- Avoid conflicts of interest and reject attempts at bribery or coercion. An employee must disclose any conflict of interest to the line manager so that it can be addressed as appropriate.
- Deal with others with honesty, good faith, respect and in a spirit of collaboration.
- respect the principles of equality and diversity
- act with responsibility and accountability to AUW, using resources carefully
- strive for high quality, efficiency and effectiveness
- preserve confidentiality and discretion in the use of records and the sharing of information
- comply with the applicable laws of Bangladesh and the rules and regulations and AUW
- Not indulge in any action outside the University that may cause the employee to be declared unsuitable for employment at AUW

### **1.2 Equal opportunities**

AUW is committed to equal opportunities and will not discriminate on the basis of race, color, religion, gender, national origin, ancestry, citizenship, marital status. Line Managers will create an environment where staff can express opinions or feedback freely and without fear.

## **2 STAFF RECRUITMENT AND PROMOTION**

### **2.1 The University will:**

- recruit applicants for employment based on their qualifications and experience:
- Ensure that all employment practices and procedures are free from unlawful discrimination.
- All vacancies will be advertised, usually internally and externally and, sometimes, internally only, where there are specific justifying grounds.

2.2 The creation of any new post must be approved by the Vice-Chancellor or her nominee. The appointing manager may replace any vacancy in a post that already exists within the staff establishment, subject to approval from the applicable member of the University Executive – the Dean of Academic Affairs, the University Registrar or the Chief Finance Officer. The line manager will agree the job description and advertisement with HR, using the standard HR template and agree the salary level with the Finance Department. The details will then be approved by the applicable member of the University Executive. HR will then advertise the post and receive applications within a published deadline for forwarding to the selection panel.

2.3 AUW employees are encouraged to apply for positions for which they are qualified.

2.4 , HR will agree with the line manager appropriate selection methods, which may include interview presentations and other forms of tests. HR, in consultation with the line manager, will constitute a search panel to carry out the selection process, including short-listing and the appointment exercise. At least two people should be involved in the short listing and interview panel, along with an HR officer. The panel will record

- Decisions and reasons for decisions on standard templates. The panel will make an assessment against the advertised criteria. Academic appointments are made by the Vice-Chancellor on the recommendation of the Dean of Academic Affairs.
- HR will communicate the decisions of the panel to the candidates and offer the post of the appointed candidate, subject to satisfactory references and pre-employment checks. HR will manage the negotiation process with the appointed candidate.
- HR will issue the draft contract to the appointee. The University classifies personnel as members of the Faculty (i.e. teaching/research staff); staff (i.e. support staff), full or part-time or hourly, and international (expatriate). A full-time member of staff is one with a contract to work to a standard 8 hours a day, excluding a 30 minute lunch break.
- Following acceptance of the contract by the appointee, HR will open a personnel file and make arrangements for the arrival of the new member of staff, including any removal expenses, residential and office accommodation, visa/work permit and other matters as mentioned in the orientation check list.

## **3 ORIENTATION FOR NEW EMPLOYEES**

3.1 The Human Resources Department will arrange, in conjunction with the appointing manager a program of orientation to help each member of staff make an effective start to employment at AUW.

### **Orientation includes:**

- provision of identity card and explanation of security arrangements:
- creation of AUW email account and access to online facilities:

- opening of salary account
- briefing on policies and procedures
- confirmation of receipt of Staff Handbook and other procedural information
- tour of the facilities and opportunity for lunch or tea:
- Introduction to other AUW employees, team members and other work contacts
- discussion with the line manager about the employee's duties and responsibilities, including expected performance standards, the probationary process, setting of initial performance objectives and introduction to the appraisal system
- introduction to health and safety policy
- introduction to professional development opportunities
- expenses and travel arrangements

3.2 In advance of the arrival of a new staff member, HR and the Line Manager will be responsible for:

- sending a welcome email to the new employee, including confirmation of the start date and time and the initial point of contact:
- organizing the office space and equipment:
- making any residential accommodation and transport arrangements.

#### **4 PROBATIONARY PERIOD**

The probation period begins on the first day of the employment of a new member of staff. A probationary period will not be set for a current AUW member of staff appointed to another post within the University. The probationary period enables the member of staff to settle into the position, to work to explicit objectives, to receive support, and for the line manager to confirm that performance is satisfactory. The line manager should return the completed probationary forms to HR, including the signatures of the line manager and the member of staff. Where appropriate, the line manager may extend the probationary period: such an extension must be approved by the applicable member of the University Executive – the Registrar, the Chief Finance Officer or the Dean of Academic Affairs in consultation with HR. An extension may be permissible to give the member of staff a longer period to meet performance expectations.

#### **5 PERFORMANCE MANAGEMENT AND PROFESSIONAL DEVELOPMENT**

- 5.1 The performance management system is intended to enable the systematic development of each member of staff in relation to the operational planning process and wider development of the University. Managers/supervisors and employees should maintain a cycle of meaningful feedback through the year.
- 5.2 The performance management system includes an appraisal, with a written evaluation of the work of each employee in relation to the job description, work plans and objectives and an opportunity to consider training and development requirements. Performance appraisals will be carried out between April and June each year, with the appraisal documented on a standard HR template. The appraisal will be taken into account in the setting of any merit based payments as approved by the Vice-Chancellor.
- 5.3 The University wishes to provide employees with opportunities for professional development, which will be planned and reviewed through the performance management

system. HR co-ordinates provision for staff development. The Dean of Academic Affairs oversees the development of faculty and the Registrar oversees development for staff.

- 5.4 The University wishes to give employees opportunities for advancing to other positions or opportunities within the institution. Approval of progression moves or promotions depends largely upon training, experience, work record, and organizational need. The University, however, reserves the right to look externally for potential employees as well.
- 5.5 A staff member may apply to attend a professional development course or conference. Approval for the course may be given by the line manager subject to operational requirements and budgetary provision. The line manager will inform HR of any course that a member of staff attends so that a record may be taken.
- 5.6 There is a university research fund to support members of faculty with attendance at conferences and related events. Details are available from the Chair of the Research and Ethics Committee.

## **6 PROMOTION FOR SUPPORT STAFF**

Support staff are encouraged to apply for promotion opportunities as they arise.

## **7 PROMOTION FOR FACULTY**

### **7.1 Criteria for promotion**

The University will seek to recognize and reward:

- (i) Fundamental and applied research
- (ii) Transfer of knowledge into the cultural and economic life of the wider society;
- (iii) Significant contribution to teaching and learning within the University;
- (iv) Service and leadership.

The panel will usually consider applications only from candidates who have served at AUW for at least one year.

### **Professor**

Promotion to Professor is on the basis of the criteria set out below. It is not a requirement that applicants satisfy all the criteria in each area of performance, but it is expected that they demonstrate strong performance in a majority of the criteria relevant to their discipline. Outstanding performance in any one area on its own would not suffice, with the exception of research.

### **A doctoral degree in the relevant field**

#### **Research**

- Evidence of sustained output of high quality, peer-reviewed research publications or other equally recognized forms of research output, and evidence that they have made a significant contribution to the discipline and earned an international reputation
- Receipt of significant research grants and awards, particularly peer-reviewed, where appropriate to discipline
- Evidence of successful supervision of research staff and/or postgraduate research students

- Membership of editorial boards of significant journals or academic presses, or equivalent roles for other research outputs
- Evidence of effective research collaboration with other institutions or organisations
- Invitations to speak at international conferences, particularly as a keynote speaker, or organization of significant international conferences and editing of published proceedings
- Record of establishing and/or developing productive research collaborations with cognate disciplines

#### **Academic Enterprise and Knowledge Transfer**

- A significant record of transfer of intellectual property into the wider economy
- A significant record of translation of research findings into clinical solutions
- Evidence of significant influences on the formulation of policies or of practice in organizations external to the University
- Research, consulting or advisory relationships with other organisations
- A significant contribution to research or policy development in the field of knowledge transfer
- Evidence of effective interactions with key stakeholders, to include public and community engagement

#### **Teaching and Learning**

- A sustained record of successful teaching, including class-room or online delivery and related support in respect of allocation of teaching duties
- A sustained record of effective setting and marking of assessment, including provision of feedback to students
- A sustained record of effective delivery of student support as required by the post
- A record of substantial development in the content, delivery or assessment of the curriculum at course level
- A record of substantial contribution to programme management or development, including systems of student support
- A record of successful leadership and influence on the development of teaching and learning within the University

#### **Service and Leadership**

- Evidence of involvement in public and community engagement
- A significant and sustained contribution to the management of the discipline, faculty or the university (e.g. in planning and resource management, policy development, improvement of procedures etc) and evidence that this has produced material benefits to the institution's reputation
- Evidence of sustained ability to manage successfully and develop significant teams of staff (academic or support) where such opportunities arise
- Exceptional contribution to developing and managing links with external organisations

#### **Endowed Professorship**

A candidate for an Endowed Professorship must, additionally, satisfy the criteria for that endowed professorship.

#### **Honorary Professor**

The title 'Honorary Professor' may be conferred on an individual (whether an employee of the University or not) in recognition of a contribution to the respective academic field, public or other service beyond regular duties.

### **Professor of Practice**

The title 'Professor of Practice' may be conferred on an individual deemed to be a distinguished professional, either practicing or retired, without conventional academic qualifications but with commensurate practical experience in the field. A Professor of Practice should help to promote the integration of academic scholarship with practical experience

### **Associate Professor**

The rank of Associate Professor is for academic staff who have:

- a doctoral degree appropriate to their field or its equivalent;
- a record of at least 5 years' teaching and scholarship at least 3 of which are after obtaining the doctoral degree at a recognized university
- evidence of substantial contribution to undergraduate education and international recognition.
- a record since promotion to Assistant Professor that indicates substantial, significant and continued growth, development and accomplishments in teaching, research and creative work
- service to the University and the academic community

Promotion is based primarily on excellence in teaching or on excellence in research or in knowledge transfer and in one other area. The candidate must be able to provide strong evidence that the achievement already demonstrated will lead to a continued high quality output. In all cases norms for the discipline will be taken into account.

The case should provide clear evidence of the candidate's contribution since previously promoted and also the potential for future development. Promotion to Associate Professor is on the excellent level of achievement against the following criteria appropriate to the career track and in addition to the criteria required for the previous level of promotion.

### **Research**

- Evidence of sustained output of high quality research publications or other recognised forms of output, judged to be at international level
- Evidence of an established national or international reputation in a research field through, for example, commissioned publications, successful conference organization and editorship of proceedings or regular invitations to participate in major conferences, or external professional practice
- A sustained record of attracting funds, where appropriate and feasible, and of leadership of, and collaboration in, significant research projects, and/or consultancy or work with external organizations.

### **Academic Enterprise and Knowledge Transfer**

- A substantial contribution to the development of academic enterprise across a broad range of activities

- Demonstrable leadership in academic enterprise, notably new academic enterprise processes designed, initiated and managed
- A sustained record of supervision of students on new business creation and technology or knowledge transfer projects
- High visibility involvement in regional, national and international enterprise bodies

### **Teaching and Learning**

- A sustained record of successful teaching, including class-room or online delivery and related support in respect of allocation of teaching duties
- A record of substantial development in the content, delivery or assessment of the curriculum at course level
- A sustained record of effective delivery of student support as required by post
- A record of engagement with personal and professional development in relation to teaching and student support

### **Service and Leadership**

- Evidence of effective management skills
- Recognition as having made a significant and sustained contribution to service and leadership criteria within the broader arena of the Faculty and/or University, or in the outside professional arena, where appropriate
- Evidence of involvement in public and community engagement

### **Assistant Professor**

This rank may be granted to academic staff who:

- have a doctoral degree appropriate to their field or its equivalent
- a record of at least 1 year of teaching and scholarship after obtaining the doctoral degree at a recognized university
- evidence of potential for growth as a teacher and scholar
- a record of successful teaching, research/creative work
- service to the University

Promotion is based on evidence of achievement in both teaching and research, together with evidence of achievement in Academic Enterprise and Knowledge Transfer or Service and Leadership as appropriate.

The University administration should ensure that the submission to the promotions committee contains quantitative evidence about teaching loads and quality (e.g. peer review of teaching, summaries of student questionnaires and scores) against University norms, to enable the Promotions Panel make an adequate assessment of the effectiveness of the applicant's contribution to this area.

In each area as appropriate, applicants will be assessed as having performed "below the normal level of achievement for a instructor"; or "at the normal level of achievement for Assistant Professor"; or "at a level of achievement for promotion to Associate professor". In all cases norms for the discipline will be taken into account.

### **Research**



- A record of regular publication of original research judged to be at national level
- Other forms of externally recognized professional practice or creative output of a standing equivalent to regular publication of original research judged to be at national level, or the production of recognized works of scholarship and/or synthesis
- Some success in obtaining research support funding, where appropriate and feasible, and/or collaboration in significant research projects
- Successful research supervision where available

### **Teaching and Learning**

- A record of successful teaching, including class-room or online delivery and related support in respect of allocated teaching duties
- A record of effective setting and marking of assessment, including provision of feedback to students
- A record of effective delivery of student support as required by post
- A record of engagement with personal and professional development in relation to teaching and student support

### **Service and Leadership**

- Efficient performance over a period, of routine service/administrative duties, either within or on behalf of the University
- Some involvement in the broader tasks, where appropriate, a role providing support, pastoral care and guidance to students or colleagues and/or the outside professional arena where appropriate
- Evidence of a capacity to contribute creatively and constructively to the management of University or the department
- A capacity to manage more junior and/or support staff where such opportunities exist

## **7.2 Submission of the case and assessment**

### **Content of the application and timing of submission**

Applications for promotions should be submitted on the application form and in line with this guidance. Applications should cover the following:

- Main contributions in each of the areas of assessment
- Type and quality of the outputs of the candidate (e.g. publications, contribution to teaching and learning within and outside the University as appropriate)
- any special factors of which the Promotions Panel should be aware (e.g. periods of maternity leave, discipline-specific norms, etc.)
- where a candidate spends a considerable proportion of time on other related professional, activity, an indication should be given of the amount of time spent on such work.

### **Completion of application**

- Please complete all relevant sections of the application form. The form should be sent to the Registrar, who will acknowledge receipt and arrange for the Promotions Panel to consider all eligible applications.
- It is the responsibility of each candidate to ensure that all paperwork is complete and compliant.

- The Promotion Panel will make its assessment only on the strength of the evidence presented as part of the formal case.
- Incomplete or non-compliant applications may be disqualified from consideration under the promotion round although a candidate may submit an application for the next round.
  - Applications cannot be modified following submission except with special permission from the Registrar.
- Applications should be as succinct as possible and not exceed 14 sides of A4, excluding the list of publications. Applications that do not conform to the required format will not be accepted for submission.
- The candidate must show how she or he meets the criteria for promotion by citing evidence to demonstrate performance and impact to date.
- The application must include a CV.
- The application must include a list of experts in the field who are prepared to act as referees. Applicants for the role of Assistant Professor should provide the details of two referees. Applicants for the role of Professor or Assistant Professor should provide the details of three referees. A referee should not be the candidate's doctoral supervisor or a close present or past collaborator unless the Chair of the Promotions Panel agrees otherwise.
- The application must include a list of the candidate's publications and preferably electronic copies of any publications or papers that the candidate wishes the Promotions Panel to consider.
- The Vice-Chancellor will periodically invite applications for promotion from AUW staff. The applications should be sent to the Registrar.

### **7.3 Consideration of applications**

- A member of AUW Faculty may submit a Case for Promotion at any time of the Academic Year. The application should be sent to the Registrar.
- The Vice-Chancellor will approve the appointment of a Promotions Panel to consider cases and to agree decisions. When evaluating cases for promotion, the University will place weight on peer judgment and on the published criteria for promotion, using internal and external peer review. Since criteria vary from discipline to discipline, the Vice-Chancellor will establish a Promotions Panel based on discipline; including, at the Vice-Chancellor's discretion, AUW staff and external experts in the field and cross-disciplinary assessors. The university staff on the panel will be at the level of Dean or Head of Program or the equivalent. The Vice-Chancellor or a nominee will chair the panel. The Registrar or nominee will act as Secretary to the Panel.
- The timeline for decision will be up to six months from the date of formal submission.
- The decision of the Promotions Panel on the application is final.
- The Promotions Panel may set a time limit for the conferment of the title.

- The Registrar will arrange for promotions will be reported to Academic Council. The power to grant professorial titles is exercised by the Vice-Chancellor and the Promotions Panel under delegated authority from Academic Council.

#### **7.4 Feedback**

The candidate may approach the Chair of the Promotions Panel for feedback on the application.

#### **7.5 Revocation of title**

The Vice Chancellor may, in exceptional circumstances, revoke from an employee of the University the title of Professor or Associate Professor; this action may be taken where the individual has brought the University into disrepute (as confirmed through a formal disciplinary process) or where the required outputs are not achieved or sustained.

#### **7.6 Emeritus titles**

The conferment of emeritus titles is in the gift of Academic Council on the recommendation of the Vice-Chancellor. The title may be granted to retired faculty members as honorific recognition. A retired faculty member may be granted the title in acknowledgement of special accomplishment or achievement. The Vice-Chancellor may additionally instruct the Registrar to allow an emeritus title holder access to specified practical benefits, such as office space or access to the University's facilities.



### **ACADEMIC STAFF PROMOTION APPLICATION FORM**

#### **Section 1: Personal details**

Title	
Forename (s)	
Surname	
Email address (work)	
Current role title	
Current	
Application for promotion to role	

#### **Section 2: PROMOTION CRITERIA**

Please tick which of the criteria you are evidencing:

Research	
Teaching and Learning	
Service and leadership	

#### **Section 3: PRINCIPAL OUTPUTS**

Please list all your publications and identify any publications or other forms of outputs that you wish to cite

Section 4: STATEMENT OF YOUR CASE AND EVIDENCE

Please use this space to describe how you meet the criteria that you are addressing.  
Please provide evidence for all the criteria that you are addressing.

Section 4: **SPECIAL FACTORS**

Please use this space to mention any special factors that you wish to draw to the attention of the Promotion Panel, which may help to put your performance into context (eg periods of maternity leave, discipline-specific norms etc)

## SECTION 5: DECLARATION

Please sign to confirm that all the information included in your application is, to your best knowledge, accurate and true

## SECTION 6: REFEREES

Title	
Surname	
Email address (work)	
Institution/Organization	
Reason for nomination	

Title	
Surname	
Email address (work)	
Institution/Organization	
Reason for nomination	

Title	
Surname	
Email address (work)	
Institution/Organization	
Reason for nomination	

Title	
Surname	
Email address (work)	
Institution/Organization	
Reason for nomination	

### 5.2.8 Appendix: Other academic titles and roles

#### Instructor

Appointments to the role of Instructor are made through HR procedures. The role is suitable for academic staff who:

- have a Master's Degree,
- made substantial progress toward a doctoral degree, or have recently completed a doctoral degree but not gained teaching experience:
- Perform scholarly and/or university service activities
- Demonstrate a record of successful teaching research/creative work.

## **Other Academic Staff**

The University may employ other academic staff with a Bachelor's degree, an additional professional teaching qualification, and who are well-qualified to teach, as Tutors. Tutors may perform scholarly and/or University service as specifically agreed with the Program Head, the Program Coordinator, or the Program

## **8 WORKING HOURS**

The standard working period is 40 hours per week (excluding a half an hour lunch break) from Sunday to Thursday.

Subject to the approval of the line manager, a member of staff may work to a flexi-time system. Staff may, in that case, arrive between 8am and 10am and leave between 4.30 and 6.30pm depending on the arrangement agreed with the line manager. The line manager will consider operational needs when deciding whether to approve an application for flexi-time.

Staff are expected to work overtime occasionally. Compensatory leave may be granted in return.

## **9 LEAVE ARRANGEMENTS**

### **9.1 Annual leave**

Annual leave accrues on a monthly basis, beginning from the first day of employment. The leave year is from 1 July until 30 June. Leave is available only after the probationary period.

Applications for leave should be made in advance to the line manager. The line manager will not unreasonably refuse a request for leave, although operational needs have to be taken into accounts. Public holidays are available in addition to annual leave.

The Line Manager will monitor the fair distribution of summer duties between faculty.

The leave allowances are:

1. 15 days per year for support staff
2. 20 days for staff who are directors or above and for expatriates.

When a member of staff earns leave for only part of the leave year, the entitlement will be 1/12 of the annual allowance for each completed calendar month with the total rounded up to the nearest day. If a staff member takes more leave than earned and then terminates service, one day's salary will be forfeited for each day of unearned leave.

Staff are not entitled to receive monetary payment in lieu of untaken leave.

A member of staff may carry over a maximum of 10 days' leave from the previous year.

HR will annually issue a statement of public holidays to be observed by the University

### **9.2 Compassionate or casual leave**

An employee is entitled to up to 7 days' compassionate leave on account of the death of a parent, spouse, child, sibling or dependent.

The line manager, in consultation with HR, may exceptionally approve up to 5 additional days' casual leave in order to enable an employee to attend to emergencies or urgent personal situations. Any additional leave beyond this point must be approved by the relevant member of the Executive – the Registrar for support staff generally or the Dean of Faculty.

### **9.3 Sick leave**

An employee who is unable to attend because of illness must notify the line manager as soon as possible. The line manager will then notify HR. Absence of 3 consecutive days or more must be supported by a medical certificate stating the illness and the period the certificate is intended to cover. The employee should send the certificate to HR. If, at the expiry of the stated period, the employee is still unable to return to work, then s/he should send a further certificate to HR. The standard allowance is 7 days' sick leave each year.

HR will work with the line manager to follow up any cases of persistent or long term sickness absence and will consider how to manage the situation in the interests of the University and the employee. There may, in some instances, be a need to refer a case for consideration under the capability procedure. The University will make all reasonable efforts to support a member of staff who is sick and try to help that employee to return to work, while recognizing the need to ensure the needs of the institution are met.

### **9.4 Maternity leave**

Maternity leave is available to all female employees who have given at least 1 year of full time service to the University. The maternity leave allowance is up to 12 weeks. The first 9 weeks will be fully paid at the regular monthly comprehensive pay rate. The subsequent 4 weeks may be taken without pay or at a rate of half the monthly pay with the employee having the opportunity to work half time on a paid basis. The maternity leave structure cannot be broken down and used in separate time frames. An employee may use the maternity leave in the prenatal or postnatal period.

Employees wishing to use maternity leave should initiate timely discussions with the line manager and must give a minimum of one month's notice. A request to extend maternity leave beyond 12 weeks must be approved by the Vice-Chancellor. Any additional leave will be taken without pay.

Vacation and sick leave accruals continue the approved maternity leave period. Vacation and sick leave do not accrue during time spent on unauthorized leave and/or while someone is on leave without pay (LWOP).

### **9.5 Parental leave**

The line manager, in consultation with HR, may grant up to 3 working days' parental leave to an employee who is the father of a new born or newly adopted child, subject to satisfactory evidence of the birth of the child or adoption papers. The line manager will not unreasonably refuse such leave.



## **9.6 Hartal Policy**

AUW offices are open and classes are held during a hartal. If a hartal is called when a staff member is on annual leave, the leave will still be deducted from the annual allowance.

Staff at their discretion may or may not come to work during a hartal day. No annual or casual leave will be deducted. If, however, AUW management decides to keep offices closed during Hartal, it has the option to keep offices open during a subsequent weekend to compensate for the lost working day/s. Staff will be required to come on such days as usual.

## **9.7 Sabbatical**

An employee who has served AUW for at least three years may ask the Vice-Chancellor for approval to take a sabbatical break for study or personal development for a period of up to six months. The sabbatical period will be unpaid.

## **10 SALARY**

### **10.1 Salary structure**

The salary is divided into a basic salary and any allowances included in the contract. Salary payments will be made in local currency for employee for employees from Bangladesh and in US dollars for staff. Salary payments will be made in the first week of the following month unless otherwise arranged by the University. The basic salary is based on a standard working arrangement of 40 hours per week and 22 working days per month

### **10.2 Bonus**

There is provision for the payment of a festival bonus to some support staff within the relevant salary threshold after six months' service. The arrangement is defined in the contract for each employee eligible for the payment.

### **10.3 Salary reviews**

Salary reviews will usually be carried out in conjunction with the annual performance review and sometimes as a result of other factors (eg changes in responsibilities). Salary increases are subject both to performance and the availability of resources.

## **11 VISA, WORK PERMIT AND SHIPPING**

AUW will pay the cost of visas(s) and work permits for the employee. AUW will also pay the cost of visa(s) of the spouse or partner (1 person) and dependents (children under the age of 18) as long as they migrate with the employee to Chittagong for the duration of the renewal term.

AUW will pay for actual expenditure incurred by way of reimbursement upon receipt of supporting documentation, up to a maximum of US\$500 for shipping of personal belongings at the start and the completion of the employee's contract..

## **12 Insurance**

The AUW Group Life Insurance scheme covers all full-time employees both international and local. This insurance is payable in the event of an employee's death, in accordance with the policy documentation.

AUW also provides each international employee with healthcare coverage under a Health Insurance Plan. This includes cover in Bangladesh and other countries in the region, including India, Thailand and Singapore. The employee's spouse or partner (1 person) and dependents (children under the age of 18) will be covered as long as they migrate with the employee to Chittagong for the duration of the Renewal Term. The employee will be responsible for a partial payment of 25% of the total premium per annum of the insurance premium for coverage during the Renewal Term.

AUW provides free cover for local employees to pay for hospital admission where required.

HR will give details of the relevant scheme to each eligible employee.

### **13 AUW RESIDENTIAL ACCOMMODATION**

Residential accommodation is available for international faculty, the Heads of Programs, some members of support staff who have to live on campus, and members of the University Executive, including the Vice-Chancellor, the Dean of Faculty, the Registrar and the Chief Finance Officer.

AUW will provide a single or shared semi-furnished apartment. The tenant will pay the costs of utilities and a sum as required for security and the cleaning of common areas for the apartment. AUW will pay the full rental costs for tenants.

Single accommodation will be provided for those accompanied by spouses/partners and for faculty at the level of associate professor or senior.

Accommodation is not available for faculty or staff from the Chittagong area. Tenants may host guests in their accommodation only with approval from the University administration. Tunazzina Salam will respond to enquiries: email [tunazzina.Salam@auw.edu.bd](mailto:tunazzina.Salam@auw.edu.bd)

Guest apartments are available from time to time to be hired for short periods:  
email : [tunazzina.Salam@auw.edu.bd](mailto:tunazzina.Salam@auw.edu.bd)

### **14 TRAVEL AND SUBSISTENCE**

#### **14.1 Travel to and from campus**

Employees are responsible for their own travel to the office, although complimentary transport is provided for those travelling between the university's residential accommodation in Panchlaish and South Kulshi and the AUW campus.

#### **14.2 Official travel**

The University Travel Office makes travel arrangements and reimburses expenses for employees engaged on authorized university business. The expenses may include hotel accommodation, meals and reasonable incidental expenses. Flights will be taken by economy class and the least expensive route.

The Finance Department is responsible for managing the payment of expenses in accordance with university policy. Expenses claims must be supported by receipts and submitted on the required form. Travel expenses must be authorized by the line manager.

Employees must act responsibly and take reasonable steps to ensure their personal security when they travel away from the university campus.

#### **14.3 Home travel**

AUW will pay the cost of one economy class airfare round trip between Chittagong and the home location) on the arrival of the employee at the start of the contract and departure at the end of the contract.

Flights will be taken by economy class. The journey must be taken by the most direct/economical route (subject to a maximum of US900 per year).

All tickets must be booked through the AUW travel desk a minimum of 2 weeks in advance of travel.

#### **14.4 Use of AUW vehicles**

AUW provides complimentary transport for staff travelling between the residential accommodation at Panchlaish and South Kulshi and the campus.

AUW Transport may be booked for university business on production of a budget code and authorization by a line manager. Transport may otherwise be provided for staff carrying out official duties at the discretion of the Registrar.

When an AUW vehicle is unavailable for official travel, the University will reimburse the cost of transport on the submission of an expenses claim and receipts. Approval must be taken from the Travel Office before transport is booked.

### **15 ADVANCE LOAN POLICY**

Employees who have completed a minimum of one year's service may apply for a salary advance, interest free loan of a maximum of three gross monthly salary payments. Loans may be authorized on account of weddings for dependents or siblings, emergencies such as accidents, deaths or hospital treatment (self, spouse, children, parents or dependents)

The payment of any loan is at the discretion of the University as determined by the Vice-Chancellor following recommendation from the Registrar or the Chief Finance Officer.

The University may, from time to time, approve larger loans subject to approval by the Vice-Chancellor.

The repayment of the loan will be recovered from the monthly gross salary starting from the month following the disbursement. The Chief Finance Officer may, alternatively agree to allow the employee to repay the loan as a single installment within 8 months.

In case an employee leaves the University, any outstanding loan repayment must be made in full.

**16 USE OF EQUIPMENT AND IT FACILITIES**

AUW will provide employees with the equipment required to carry out their official duties, including a work station, PC, telephone etc.

The University – with the agreement of the Registrar - may assign a mobile 'phone or pay the costs of mobile 'phone use for an employee who needs such facilities for work purposes. The employee is responsible for protecting the 'phone from unauthorized use and must ensure that the phone has up-to-date anti-virus software.

Private use of AUW IT facilities is permitted as long as the employee complies with IT policy, acting responsibly and with regard for the security of university systems. Private use of IT facilities must not interfere with employee productivity.

The University will respect the privacy of private communications but reserves the right to view communications on AUW networks in exceptional cases, for example, the investigation of a suspected serious offence. A member of the University Executive must approve such action.

Employees are responsible for ensuring that they use IT facilities in an ethical and lawful manner: They must ensure that their work is backed up in accordance with AUW IT policy. They should not attempt to bypass system security, invade passwords or gain unauthorized access to local network resources. Such action would be grounds for disciplinary action. No gambling or any illegal activity is allowed on the AUW computer system. The use of the internet for personal commercial gain is not allowed. The authorized transfer of copyright materials is not allowed

IT Services may restrict the use of resources, for example, storage space etc, where required

The use of electronic mail and other network communication facilities to harass, offend or annoy others is forbidden. Obscene, defamatory or any other material which violates University policy on non-discrimination are unacceptable.

**17 PERSONAL DATA**

The University will ensure the security of the personal data that it holds. Personal Data are any data that relate to an identified or identifiable living human being.

Personal data will not be retained longer than necessary. All digital material containing sensitive information must be locked in a secure area when not in use and properly destroyed when no longer needed or obsolete.

Administrators will not release their IDs or passwords to anyone else.

Users will log off systems when they leave their desks.

No employee will attempt to view or utilize data that is not required in the performance of his or her job function.

All files containing personal data must be stored on University central servers. No files containing sensitive information should be stored on the disk drives of the staff member's local desktop personal computer or removable storage devices.

## 18 INTELLECTUAL PROPERTY

AUW owns the intellectual property rights relating to any documentation, data, information or product produced by staff

## 19 COMMUNICATIONS AND SOCIAL MEDIA

Everyone is, of course, entitled to participate in social media, in a personal capacity.

### 19.1 How to deal with social media

Many AUW employees use social media in various ways. The personal style of social media can make it difficult to draw the line between public/professional and private use. Employees should observe the following guiding principles in communications and the use of social media in relation to AUW.

- **Objectivity** –presenting any situation in a reasoned and unprejudiced manner.
- **Impartiality** –weighing opinions in a balanced manner and without taking a position: for example, explaining the reasons behind a position, while acknowledging differing views.
- **Loyalty** to the University –presenting the AUW's views to the best of your ability and clearly in line with the views previously expressed by AUW.
- **Discretion** – not divulging information that has not yet been made public by the university
- **Circumspection** –exercising caution, carefulness, moderation and a due sense of proportion and propriety.

### 19.2 How to act responsibly

You are, of course, entitled to freedom of expression. Publishing something on the media is not, however, a gratuitous act. Even if you write in your personal capacity, you remain and will be perceived as a member of the AUW community. You should therefore refrain from any act or behavior which might reflect adversely upon you and the AUW. You should obtain approval from an authorized officer of the university before publishing material relating to AUW.

### 19.3 Communication with students

Any use of social media by employees as a form of official communication with students should be open, transparent and limited to the equal provision to students of support for learning and teaching. Staff must treat the private use of social media with students (eg Facebook connections) with care and discretion and avoid communications that would have a negative impact on the maintenance of professional relationships free of conflict of interest.

## 20 CONDUCT

### 20.1 Personal appearance

AUW personnel are expected to maintain a neat, tidy appearance, although there is no formal, generic dress code. Some staff are required to wear uniform when on duty.

## **20.2 Drugs/ Alcohol/ Smoking Policy**

No smoking is permitted on the University's premises. The use of illicit drugs is forbidden. The University does not encourage the use of alcohol and it may not be taken on university premises except in private residential accommodation.

## **20.3 Gifts**

Employee may not accept substantial gifts from students, students' relatives or friends, visitors vendors doing business or seeking to do business with AUW or anyone else engaged or potentially engaged in business with AUW. Offers of donations to the University should be referred to the AUW Support Foundation through the Registrar. Small tokens (eg ceremonial cups or mugs, branded pens, small trophies, souvenirs etc) may be accepted as a compliment and in order to avoid giving offence. Faculty and staff should seek advice from the University Registrar in case of any questions about the application of this policy.

## **20.4 Employee Engagement in other paid work**

Employees are expected to engage fully with their contractual duties and commitment to the University. AUW will not usually allow full-time employees to take an external job, except sometimes a role which the University considers supportive to its mission and strategic or academic interests. Any exception to the rule must be approved by the line manager and referred to the Registrar for consideration. Staff found serving in an external post without prior approval may be disciplined for misconduct under the staff disciplinary procedure.

## **20.5 Confidential Information and Non-disclosure**

Employees must respect the confidentiality of information.

It is expected that you will respect the confidentiality of information by not discussing it with anyone except your supervisor. Should you have doubts as to whether the information you deal with is confidential, ask your supervisor for guidance. Any information that may be deemed confidential should not be shared with anyone outside of Asian University for Women before prior approval.

No confidential document/ information under any circumstances shall be shared except with the permission of the line manager or senior manager.

AUW employees agree that any tape recordings, speeches, photographs, manuals, plans, model program designs, proposals, research materials, charts, audio-visual presentation and other training material or devices, articles or manuscripts, or public relations materials or any other products requested by AUW as part of employee's job will remain, in their entirety, as the exclusive property of AUW. Furthermore, AUW will have exclusive copyright to any material produced for AUW during the employment with AUW.

## **21 WORKPLACE SAFETY AND EMERGENCY PROCEDURES**

The safety and health of employees is a priority. Each employee is expected to respect health and safety rules and regulations and to exercise caution in all work activities. Please refer to the University's Health and Safety policies and procedures.

## **22 RELATIONSHIPS AND AVOIDING CONFLICTS OF INTEREST**

- 22.1 The University regards the professional relationship between members of staff and students as central to educational development and student well-being. Professional relationships are any where the staff member, through employment with the University, has any educational,

administrative, pastoral or supervisory involvement with a student. A student is any individual who is studying at AUW on a programme or with another institution as part of a formal collaborative arrangement with AUW. The University reminds staff of the importance of maintaining academic and professional integrity and of their responsibility for the welfare of students. Staff should not enter any close personal or intimate relationship with a student. To embark on a close personal or intimate relationship with a student may involve difficulties rooted in the inequality of power and problems in the maintenance of professional and personal life. Such relationships may disrupt the teaching and learning environment and may lead to accusations of favouritism or bias and undermine trust in the academic process.

## 22.2 Personal relationships between staff and with students

AUW employees should avoid entering personal relationships with current students. An employee must disclose to the line manager and to HR any former relationship with a current student and the line manager will work with HR to ensure that conflicts of interest are addressed and the personal interests of the student safeguarded.

The University recognizes the importance of preserving the integrity of professional relationships between members of employees as well as students, consultants, contractors and suppliers. Personal relationships may include, for example, family, commercial or business, financial or romantic connections. Many personal relationships will create no particular difficulties. There are circumstances, however, where staff members will need to withdraw from certain decisions or from undertaking particular roles in order to protect themselves and the University from any conflicts of interest and both parties within a relationship are responsible in this regard.

Any employee engaged in a personal relationship with another member of should declare it to the line manager, who will also inform HR. The line manager and HR will treat the matter in confidence and will, in consultation, with the employee, identify ways to avoid any conflicts. A declaration will be placed on the employee's personal file within the HR Department and then removed when the University no longer retains any need to keep the information (for example, after the employee leaves the institution). Employees who declare a personal relationship at work should be treated fairly and with due regard to equality of opportunity.

Employees who are uncertain of the risk of a conflict of interest emerging from a personal relationship at work should discuss the matter in the first instance with the line manager or with a more senior manager within the managerial structure where the issue may involve the immediate line manager.

The University may accommodate partners and family members within its employment but some regulation will be required in case faculty/staff are brought into close contact, for example, within the same department or project team. When establishing the risk or a conflict of interest, managers and HR may consider, for example:

- Whether any employees are likely to be made uncomfortable in their dealings with either of the two staff members because of the personal relationship
- Whether the personal relationship may reasonably be seen as offering advantage to an employee or disadvantage to another
- Whether the relationship may interfere with the professional conduct of university business
- Whether the relationship may have a negative impact on the workings of a team.

Employees with a conflict of interest should not become involved in:

- the /appraisal, promotion or discipline or any other management activity or process involving an employee with whom they have a declared personal relationship;
- Where it is not practicable to remove an employee from the recruitment process, all panel members should be made aware of the personal relationship and every panel decision should be justified as fair and equitable, without bias or conflict of interest.
- The authorisation of any financial payments/decisions relating to financial matters e.g. timesheets, fees payments, expense claims, salary changes or allocation of external funding for an employee with whom they have a declared personal relationship. However, if the person is the budget holder then s/ he may approve the financial transaction but only with additional independent and documented authorisation.

If an employee believes that s/he is adversely affected by a misuse of power/authority or conflict of interest, s/he should raise this with the line manager and with HR. Where any employee feels that there may be potential or actual misuse of power/authority or conflict of interest relating to a personal relationship at work involving a line manager/supervisor, s/he should raise this in the first instance with the next higher level of the management structure. The responsible manager may wish to consider an alternative arrangement e.g. a change in reporting arrangements, or duties within a team; investigating one party being moved to another area of work or work location, if appropriate in the circumstances. The response manager should consider all such matters in confidence and consult the employees involved and HR.

Disciplinary action may be taken in case of any failure to declare an actual or potential conflict of interest.

## **23 EMPLOYEE COMPLAINTS**

### **23.1 Introduction**

- The University is committed to support staff carrying out their responsibilities to the highest standard within a culture that encourages productive and co-operative working practices. The procedure will enable complaints to be addressed in a fair and constructive manner. All faculty/staff should support the aim of resolving concerns relating to their employment or any other issues of dissatisfaction informally through discussion with the immediate line manager. When an employee thinks that issues of concern have not been addressed adequately through that route, s/he may send a formal complaint as defined in this procedure.
- Complaints should be addressed promptly in order to promote productive and harmonious working conditions.
- Subject to the agreement of all parties involved in the complaint, the procedure may be suspended at any point for mediation. Mediation or another form of non-adversarial discussion should take place if acceptable to the parties at an early stage and preferably before formal procedures are underway.



- Information provided by any party to a complaint will usually be shared with others involved in the complaint. All parties must maintain confidentiality and privacy at all times during the complaint process.
- The complaint statement and the outcome letter will be held within HR on the personal file of the aggrieved employee. The documents will be treated in strict confidence and removed only as long as required for investigation and the monitoring of complaints.

### **23.2 Responsibilities and rights**

Employees are responsible for:

- attempting to resolve any concerns about aspects of their employment at the earliest opportunity, constructively and informally, through discussion with their immediate manager;
- attempting to resolving issues with colleagues amicably and without the need for a formal complaint process;
- providing managers with as much detail as possible about the issue of concern, and giving them a reasonable opportunity to consider it;
- making suggestions as to how a complaint could be resolved;
- taking all reasonable steps to attend any meetings associated with the complaint;
- conducting themselves with dignity, honesty, and integrity to promote an atmosphere of mutual respect

Employees have a right:

- to seek guidance and advice from HR prior to attending a complaint hearing;
- to explain their complaints and have them addressed in a fair and constructive manner;
- not to be treated less favorably than other members of staff as a result of raising a complaint.

Managers are responsible for:

- providing employees with opportunities to raise any issues of concern relating to their work;
- resolving complaints at the earliest opportunity and in a constructive, sensitive and reasonable way;
- consulting HR before taking action under the Complaint Procedure, ensuring that their actions are appropriate and do not expose the University to legal or HR difficulties through ill-advised action or negligence;
- conducting themselves with dignity, honesty, and integrity to promote an atmosphere of mutual respect,

HR is responsible for:

- advising managers on all aspects of the Complaint Procedure to ensure that staff complaints are resolved at the earliest opportunity;
- advising members of staff on the Complaint Procedure;
- keeping a formal record of any meetings held under the Complaint Procedure: not a

- verbatim record but an accurate summary of the proceedings;
  - monitoring the use of the Complaint Procedure across the University;
  - ensuring that the Complaint Procedure is applied consistently throughout the University.
- 
- At all stages of the Complaint Procedure, an employee may be accompanied to any hearing by a colleague of his/her choice. Where a complaint relates to another employee this individual will have the same right to be accompanied as the aggrieved member of staff. The employee must give notice of the name and relevant details of any companion to Human Resources representative at least two working days prior to a meeting under this procedure, it would not be reasonable to choose a companion whose presence would prejudice the hearing and HR may decline the employee's choice in that case.
  - The chosen colleague will be allowed to address the hearing in order to help put the member of staff's case. The colleague may not answer questions on the employee's behalf. If the chosen colleague cannot attend on the date proposed and a suitable alternative companion cannot be found, the University will work with the employee to try to identify an alternative data.

### 23.3 Exclusions from the procedure

The procedure cannot be used to resolve the following:

- complaints about being subject to the capability procedure, or action taken under that procedure, which should be addressed under the capability procedure;
- complaints about the instigation of disciplinary proceedings against an individual, action taken under the disciplinary procedure, or the operation of the disciplinary procedure, which should be addressed under the disciplinary procedure at the same time as the alleged misconduct is being considered;
- a complaint against an actual or threatened dismissal, which should be dealt with under the appropriate procedure (for example disciplinary procedure, capability procedure or redundancy procedure);
- allegations which are covered by the **University's Whistle blowing Procedures**;
- issues which are outside the responsibility or control of the University in its role as an employer.

### 23.4 Deferral of cases

Complaints about harassment or bullying should initially be addressed under the University's Harassment and Bullying at Work Policy. Where the harassment continues or where an employee claims that the harassment procedures have not been applied correctly or have not resolved the concern, the formal stage of the Complaint Procedure should be used. Complaints of harassment may be addressed under the University's Disciplinary Procedure if the University considers this more appropriate.

### 23.5 Informal stage

- In advance of raising the complaint or any informal resolution of matters, the employee is encouraged to seek advice from Human Resources to assist with the informal resolution of the complaint or concern. This could take the form of an informal conversation, in confidence, where the Human Resources representative would assist the member of staff deciding how to progress the matter. Where appropriate, the option of mediation as a means of resolving the complaint will be discussed with the individual prior to any informal or formal action being instigated under this procedure.
- An employee may pursue the complaint with his/her line manager either in person or in writing. Even when the complaint relates to actions or decisions of the employee's line manager, where appropriate, the employee should start, if feasible, by raising the matter with him/her in the first instance. The line manager should allow the member of staff to explain the complaint.
- In contrast to formal complaint proceedings, informal resolution is not a process which involves detailed investigation into the complaint, decisions on disputed issues of fact or attributing blame. The aim is to explore whether the issue can be resolved through discussion and by agreement on ways of avoiding similar issues arising again. This may include:
- The informal stage will normally be completed within ten working days of the matter being raised. Where this is not possible, the reasons for the delay will be communicated to the employee. Although this is an informal stage in the procedure, the relevant manager should make a summary note of the discussion and its outcome and give a copy to the member of staff. If the member of staff is not satisfied with the outcome, he/she may wish to pursue the formal stages of the Complaint Procedure. Whilst it is not necessary for a Human Resources representative to attend meetings connected with the informal stage, HR advice should be sought by the relevant manager dealing with the complaint.

### 23.6 Mediation

Mediation is a process whereby a neutral third party attempts to help the parties reach agreement in the event of a dispute. The University (through HR) may appoint a mediator to help towards a resolution, if both parties are agreeable. It is usually preferable, however, for any mediation to take place before formal complaint proceedings. Agreement to mediation does not preclude the employee from submitting a formal complaint at a later stage, if mediation is not successful in resolving the complaint.

### 23.7 Formal stages

- **Formal Stage 1: Complaint to Manager**

If an employee thinks her or his concerns have not been addressed adequately through informal discussion with the relevant manager, s/he should submit to the manager, copied to HR, details of the complaint in writing, setting out as fully as possible his/her specific complaint including any available evidence in support of the complaint and specify how he/she would like to see the matter resolved. Where the complaint relates to the immediate manager, it should be submitted to that person's manager, or, if that person is also involved, to HR which will nominate a manager outside

the individual's immediate area of work. The relevant manager will discuss the complaint promptly with the relevant HR and will agree an investigating manager to deal with the complaint). The investigating manager should be appointed within ten working days of receipt of the complaint. Where a complaint relates wholly or partly to the actions of a named member of staff, this individual will be notified of the complaint by the investigating manager without unreasonable delay and will receive a copy of the complaint (or that part of that relating to him/her) and any documentation

- **Formal Stage 2: Investigation and outcome**

The University Registrar will nominate an investigating panel of two members of faculty/staff to conduct the investigation (assisted by a secretary)

Following receipt of the complaint, the aggrieved employee will be invited in writing to attend an initial meeting with the panel and advised of the right to be accompanied. This meeting will normally be held within 15 working days of the panel being appointed. The purpose of this meeting is to allow the investigating manager to understand the nature of the complaint and to explore potential solutions. The panel will explain the purpose of the meeting and outline the procedure to be followed. The aggrieved employee or companion will then be invited to state the case as set out in the statement of complaint and may be questioned, for the purposes of clarification, and to establish the scope of the complaint. The secretary will keep a formal summary record of the meeting which will be copied to the aggrieved employee.

It may be appropriate for the panel to undertake a further investigation into the complaint before reaching a conclusion. The panel will discuss with the aggrieved employee the scope of such investigation and the names of any potential witnesses or others who should be interviewed as part of this investigation. The panel will explain the proposed next steps and an estimate of the timescale for carrying out any investigation and responding to the aggrieved member of staff. The estimated timescale should be as short as practicable, whilst allowing for a full investigation to take place.

Where the complaint concerns, the actions of any other employee he/she will be given the opportunity to respond in a meeting with the investigating manager to that part of the complaint which covers him/her. This employee will also be informed of his/her right to be accompanied.

The panel has discretion to determine how to conduct the investigation, acting in a fair and proportionate manner. If at any point in the investigation the panel decides that the complaint is unfounded, vexatious or trivial, it may decide to reject the complaint without further investigation of the facts and report that decision to the employee. If the panel considers that the subject matter of the complaint indicates a potential case of misconduct, he/she may decide that it is more appropriate to cease the investigation and refer the issues for consideration under the staff disciplinary procedure.

The panel will ensure that notes are kept of meetings with the member of staff who has raised the complaint and any person interviewed as part of the investigation into the complaint. These notes will usually be a summary of the meeting, rather than a verbatim note. The members of staff concerned will be given the opportunity to agree or make comments on the notes of the meetings which they have been involved in.

The panel will prepare a report which will include a summary of the complaint and the investigation, the decision on the complaint and the reasons for that decision, and any recommendation considered appropriate to resolve the complaint or address its cause (whether or not the complaint

is upheld). This report will normally be produced within 10 working days of the conclusion of the investigation. The outcome of the complaint should be communicated in writing to the aggrieved member of staff. If the complaint is not upheld, the aggrieved member of staff will be advised of the right to appeal the decision under the next stage of the Complaint Procedure. The outcome will also be provided to any employee against whom the complaint has been brought.

Where recommendations are made in the investigating manager's report, the Human Resources representative will ensure that they are forwarded to the appropriate managers for action.

- **Formal Stage 3: Appeal to Ombudsperson**

A member of staff may appeal to the Ombudsperson against a decision reached under stage 2 by submitting written notification together with all supporting documentation that the individual wishes to be considered to HR within 10 working days of receiving written notification of the outcome of stage 2. The appeal hearing is not designed to re-hear the complaint but to examine the grounds of appeal. Appeals may be raised on one or more of the following grounds:

- (i) that the decision of the investigating manager is flawed because the evidence did not support the conclusion reached;
- (ii) that new evidence not previously available has come to light since the investigating manager's report;
- (iii) that any action proposed was inappropriate in the circumstances of the case; (iv) that there has been a failure to follow procedure which has affected the decision taken by the relevant manager.

- **Record of complaint meetings**

A record will be made by Human Resources of all meetings held under the Complaint Procedure. A copy of the notes will be sent to the member of staff. It is not the University's practice to tape record complaint meetings.

## **24 HARASSMENT AND BULLYING**

### **24.1 Introduction**

AUW opposes harassment and bullying in any form. Harassment and bullying lead to a stressful and hostile environment. The University is committed to the provision of an environment free from harassment and bullying and respect for the dignity of individuals. All members of the University – both staff and students – have a duty to avoid individuals suffering from harassment and bullying. Harassment may include behavior relating to many personal characteristics, including, for example, gender, ethnicity, colour, disability, religion, nationality, age, occupation, marital status, or sexual orientation. Conduct that is acceptable to one person may be unwelcome to another and the test applied is that the conduct, whether unwitting or deliberate, would be judged as harassment by any reasonable person.

Examples of harassment or bullying would include:

- Abuse through electronic media
- Telling jokes in bad taste
- Displaying offensive material in any form

- Written abuse
- Comments of an offensive nature (verbal or written); spreading malicious rumours or insulting someone
- Copying communications that are critical about someone to others who do not need to know
- Victimization
- Unfair treatment
- Lewd suggestions or over-familiar behavior
- Displaying or circulating sexually suggestive or other offensive material
- Insulting, ridiculing or subjecting a person to any other detriment
- Behaviour deliberately calculated to cause antagonism
- Criminal assault

Bullying is a form of harassment involving threatening, abusive, intimidating or insulting behavior. As with harassment, what may be perceived by one person as firm management may be perceived by another as bullying, although bullying should be distinguished from a reasonable managerial request to carry out an instruction. The following are examples of bullying, although the list is not exhaustive.

- Shouting, verbal or written abuse
- Abuse of power or behavior that causes fear or distress
- Deliberate undermining of an individual through unfair work allocation and/or repeated criticism.
- Threats or comments about job security
- Public ridicule, sarcasm or humiliation

#### **24.2 Dealing with concerns about harassment or bullying**

If you think someone is harassing you, then keep a record of incidents, including the time, circumstances and names of any witnesses

#### **24.3 Informal action**

If you feel able, you can tell the person that you find the behavior unacceptable. In case you feel unable to speak to the person concerned or having spoken and the behavior persists, you may contact the line manager or, if the concern relates to the line manager, then to the senior manager.

#### **24.4 Formal action**

You can raise the issue with the university authorities to raise the matter through the **Staff Complaint Procedure** (formal stage)

It may be necessary to take formal disciplinary action in a case where a complaint of harassment is upheld.

The University also has to recognize that complaints may be made with mischievous or malicious intent and this can provide grounds for the dismissal of a complaint or for disciplinary action.

#### **24.5 Confidentiality**

Every effort will be made to keep the matter confidential to those directly involved. Breaches of confidentiality may result in disciplinary action.

#### **24.6 Serious Incidents**

A member of staff should report to the Security Department any incident of physical assault, or any concern about an immediate risk to personal safety.

#### **24.7 Violence**

The University forbids violence or threats of physical violence and any observed or reported actions will be addressed under the disciplinary procedure.

### **25 PERSONAL CONFLICT MANAGEMENT**

Conflict can result from work place pressures such as a culture of long work hours and/or excessive workloads. In this environment, workers often experience stress, which can lead to unreasonable behavior that would not otherwise occur. Colleagues come from diverse cultural backgrounds. AUW may offer an employee confidential counseling or mediation to resolve issues or offer other forms of support to assist with communication, conflict resolution, stress and diversity management, bullying and harassment prevention.

### **26 DISCIPLINARY PROCEDURE**

#### **26.1 Introduction**

The disciplinary procedure should be corrective where appropriate rather than punitive. The aim is to help and encourage employees to achieve acceptable standards of conduct and to ensure consistent and fair treatment for all. The University may make practical or operational changes to the application of the procedures with the agreement of the concerned parties in order to enable the resolution of particular cases. The disciplinary procedure will be used to address alleged misconduct. The procedure does not apply to cases where an employee does not perform to the result of a required standard as a result of a lack of skill, capability or training or because of genuine sickness absence; in those cases, reference will be made to the Capability Procedure. There are three stages of disciplinary action and the University reserves the right to take action at any stage or to omit stages depending on the circumstances

- The employee will be advised of the nature of the complaint and will be given the opportunity to state his/her case before any decision is made.
- At every stage in the disciplinary process (other than informal discussions) the employee will have the right to be accompanied by a University employee as a 'friend.'
- The University recognizes that colleagues are required to put forward new ideas and controversial or unpopular opinions as part of their contractual obligations related to teaching and research. As such, colleagues have freedom within the law to hold and express opinions, to question and test established ideas and received wisdom and to present

controversial or unpopular points of view without placing in jeopardy the appointments they hold or any entitlements or privileges they enjoy.

- The University's aim during an investigation or disciplinary procedure is to deal with matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat any information communicated to them in connection with an investigation or disciplinary matter with appropriate confidentiality.
- An employee will not normally be dismissed for the first breach of discipline unless they are found guilty of gross misconduct, where the penalty may be summary dismissal without pay in lieu of notice.
- An employee will not be dismissed or otherwise disciplined automatically because he/she has been charged with or convicted of a criminal offence or is absent through being in custody.
- Where an employee is convicted of a criminal offence, consideration will be given to whether the offence is one that makes the employee unsuitable for his/her type of work or unacceptable to other employees, students, partners or clients of the University, and if so whether suitable alternative work is available. Following such consideration, the University may initiate a disciplinary process.
- Where a complaint is raised during the investigation of a disciplinary allegation or during the disciplinary process, the University will consider whether the investigation or disciplinary process should be postponed until the complaint has been dealt with or whether the cases are sufficiently related in order for both issues to be handled concurrently in the same process.
- An employee will have the right to appeal against any disciplinary penalty imposed.
- The University recognizes the importance of dealing with disciplinary matters without undue delay.

## **26.2 Minor Misconduct**

For cases of minor misconduct recourse to formal disciplinary procedures should normally only be taken once reasonable efforts have been made to remedy the difficulties by informal means.

## **26.3 Behavior which may result in Disciplinary Action**

The following list indicates the types of conduct (these types not being exhaustive) that may lead the University to invoke formal disciplinary procedures:

- (i) Unacceptable behaviour, such as harassment, victimization, undermining of colleagues or managers, etc;
- (ii) Misuse of University facilities or name;



- (iii) Poor timekeeping;
- (iv) Unauthorized absence
- (v) Repeated or serious failure to follow instructions;
- (vi) Negligence in conduct of duties;
- (vii) Failure to secure confidential information;
- (viii) Breach of financial regulations;
- (ix) Infringement of University health and safety rules;
- (x) Any action liable to bring the University into disrepute.

### **26.3 Acts of Gross Misconduct**

The following provides examples of behaviour (these examples not being exhaustive) that normally are regarded as gross misconduct, which may lead the University to invoke formal disciplinary procedures:

- (i) Theft, fraud, deliberate falsification of records;
- (ii) Fighting or assault;
- (iii) Deliberate damage to University property;
- (iv) Serious acts of bullying, harassment or discrimination;
- (v) Action liable to bring the University into serious disrepute;
- (vi) Serious inability to work through the influence of alcohol and/or illegal drugs
- (vii) Supplying or consuming banned drugs on University premises;
- (viii) Serious infringement of the University's health and safety rules;
- (ix) Serious acts of negligence;
- (x) Serious acts of insubordination;
- (xi) Conviction of a criminal offence which makes the employee unsuitable to carry out his/her duties;
- (xii) Serious breach of trust or confidentiality.

**This list only gives an indication of what may be considered gross misconduct. Acts that constitute gross misconduct may vary according to the individual's particular role**

### **26.4 Suspension**

An employee may be suspended on full pay at any stage before, during or after an investigation where the allegations against the employee are serious. The employee will normally be informed of the suspension orally. Written confirmation of the suspension will be issued within **3 working days**. For the duration of suspension the employee is not permitted to enter any of the University's premises, other than to attend disciplinary proceedings or investigatory interviews, except with prior consent from the person identified as the relevant University contact in the written confirmation of suspension. The employee may be granted reasonable access to University facilities to enable preparation of the case. For the duration of the suspension the employee will be restricted on engagement with university business, except where the employee has received prior consent from the person identified as the relevant University contact in the written confirmation of suspension. Any period of suspension should not exceed 30 working days except where there is good reason for an extension to complete an investigation. Where the suspension will exceed **30 working days**, the employee will be notified and provided with an estimated timescale. A suspension is not considered disciplinary action and is without prejudice to the outcome of the investigation and any disciplinary hearing.

## 26.5 Investigation

Disciplinary action will not be undertaken before the facts and any reasonable cause have been established. The pace of any investigation will be dependent upon the complexity of the case and the availability of the relevant parties. The investigation will usually be carried out by the relevant person as listed below (the “Investigation Manager”) but the University reserves the right to use a different person.

Subject of the Investigation	Investigation Manager
Vice-Chancellor	A member of the Board of Trustees
Members of the University Executive Team	Vice-Chancellor
All other staff	Nominee of the Registrar

- The Investigation Manager will conduct the investigation which may include meeting with relevant parties, including where appropriate, witnesses to incident(s) of alleged misconduct. Any witness to the alleged misconduct may be required to make a written statement and sign and date that statement. The Investigation Manager may have a colleague from the University present at such meeting(s) to take notes.
- The Investigation Manager will normally have a meeting with the employee who is the subject of the allegation. The Investigation Manager will advise the employee of the allegation and invite a response. It should be made clear to the employee that the meeting is not a disciplinary hearing. The Investigation Manager will clarify his/her understanding of the facts of the case. The employee is entitled to be accompanied by a colleague at this investigation stage. The interview will be closed to other participants. The Investigation Manager will indicate whether there will be further enquiries.
- The Investigation Manager will prepare a report based on the findings of the investigation with recommendations as to whether or not a disciplinary hearing is required and whether immediate suspension may be warranted if not already in force.
- If the Investigation Manager considers that a formal disciplinary hearing is not warranted and that informal advice, coaching or guidance may be helpful, he/she will discuss the matter with the employee’s line manager, or another appropriate person determined by the University, who may take the appropriate informal action. Such action will not constitute a disciplinary warning.

## 26.6 The Disciplinary Panel

The Disciplinary Panel for a disciplinary hearing will vary depending upon the status of the subject; The University, acting through HR, will seek to appoint a Disciplinary Panel as set out below but reserves the right to modify this arrangement if the University deems it appropriate in the circumstances. The Disciplinary Panel will include two senior members of faculty or staff, one of whom will serve as chair; The Panel will not include the Investigation Manager or anyone with a previous substantial involvement in the case. A representative from HR will be in attendance at all Disciplinary Hearings as adviser or panel member as required.

#### **26.7 Composition of the Disciplinary Panel In case of an allegation against the Vice-Chancellor**

The Disciplinary Panel will consist of two trustees of the University, one of whom will serve as chair. The Panel will not include the Investigation Manager or anyone with a previous

#### **26.8 Notification**

HR will write to the employee giving at least **7 working days** notice of the disciplinary hearing. This notification will indicate the date, time, location of the hearing, right to accompaniment and will provide a summary of the complaint. Copies of any paperwork to be used at the disciplinary hearing will be forwarded to the employee when available, and if practicable, at least **4 working days** prior to the hearing. The employee will be invited to make a written submission to the hearing. This must be submitted to HR at least **2 working days** prior to the hearing. At the same time the employee should notify HR of the name of any accompanying person

#### **26.9 Accompaniment**

The employee has the right to be accompanied to the disciplinary hearing by another employee of the University as a friend. The accompanying person may confer with the employee during the hearing and, at the employee's request, may address the Chair/panel and summarise the case at the end. S/he is, however, entitled to answer questions on behalf of the employee. Neither the employee nor the University will have legal representation at the hearing.

#### **26.10 Witnesses**

The names of any witnesses to be called by the employee must be made available to HR no later than **2 working days** prior to the hearing. It is wholly the responsibility of the employee to make contact with any individuals who may serve as witnesses and to arrange their attendance. The Investigation Manager may also call witnesses along with the Chair/Disciplinary Panel. The employee will be advised of the names of these witnesses within 2 working days of the hearing except where witnesses may be called in response to identification of the employee's witnesses. The Panel Chair has discretion to allow the submission of witness statements in the absence of the physical presence of the witnesses or to allow remote audio-visual means for hearing witnesses.

#### **26.11 Attendance at hearing**

The employee should take all reasonable steps to attend the hearing as scheduled in the written notification. HR will make a reasonable attempt to find an alternative date for a hearing if requested by the employee. A hearing will only be deemed to have taken place if the employee concerned has had a reasonable opportunity to attend. Where an employee fails to co-operate, attend or remain at a hearing without good reason a decision may be taken in his/her absence based on the evidence available.

Employees subject to disciplinary hearings may sometimes be unable to attend because of ill health. In such circumstances the employee may be required to submit a medical certificate. The Chair may determine whether to proceed with the hearing based on the evidence available or defer for a reasonable period of time.

## 26.12 The Hearing Process

At the hearing the complaint against the employee and associated evidence will be presented first, normally by the Investigation Manager, followed by submissions from the employee. Both sides are entitled to call witnesses and will be given the opportunity to raise points about the information provided by witnesses. Direct questions may be put to any witnesses at the discretion of the panel chair. The Disciplinary Panel may also call and question witnesses. After all the submissions have been made and the questioning has been completed, each side will be asked to summarize the main points of the case. The panel will then withdraw to consider its decision.

## 26.13 Stages of Disciplinary Action

Disciplinary action should progress according to the stages described below. There may, however, be instances where the case is of a sufficiently serious nature that a stage or stages may be passed over in favor of a higher level disciplinary action. Where a case is particularly serious, it may be appropriate to move directly to stage 3 (a hearing that could lead to dismissal). The stages of disciplinary action are:

### Stage 1: First Written Warning

This will set out the misconduct and the improvement or change in behaviour required. The warning should also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change.

### Stage 2: Final Written Warning

A final written warning will be issued if (i) the first offence is of a serious nature, but not sufficiently serious to justify dismissal; (ii) if the employee has failed to respond adequately to a previous written warning that is still current; or (iii) if a further offence of a similar or related nature has occurred after an earlier written warning that is still current. This will give details of the complaint, the improvement or change in behaviour required and the timescale. It will also warn that failure to improve or change behaviour may lead to dismissal or other action short of dismissal. A record of this final written warning will be held on the employee's record for 1 year and taken into account in case of any further disciplinary action. Depending upon the seriousness and nature of the behaviour or infringement, this period may be longer at the discretion of the disciplinary panel.

### Stage 3: Dismissal

Dismissal will normally result where:-

- (i) The infringement or offence is sufficiently serious;
- (ii) The employee is guilty of gross misconduct;
- (iii) The employee has failed to respond adequately to a final written warning that is still current; or
- (iv) A further offence of a similar or related nature has occurred after a final written warning that is still current.

#### 26.14 Authority of the Disciplinary Panel

The Panel has the authority to:

- (i) Find that the employee has no case to answer and discharge the case.
- (ii) Require satisfactory completion of a course of training or developmental activity.
- (iii) Issue a first written or final written warning and impose conditions in relation to such warnings.
- (iv) Extend the period of the final written warning as an alternative to dismissal.
- (v) Suspend the employee on full, partial or nil pay for a period not exceeding three months.
- (vi) Loss of incremental progression for 1 year.
- (vii) Demotion or loss of seniority in relation to the employee's current role/status in the University.
- (viii) Dismiss the employee with the appropriate period of notice or payment in lieu of notice.
- (ix) Dismiss the employee without notice and without pay in lieu of notice.

When deciding upon the level of disciplinary action to take, the Chair/Disciplinary Panel should take into account any previous disciplinary warnings issued that are still current, the severity of the issue, the degree of potential harm to the interests of the University and its employees or students, and the explanation given by the employee.

#### 26.15 Decision and written notification

On the basis of the discussion and the evidence provided, the Panel will adjourn to decide what action, if any, should be taken. The employee will be notified of the decision in writing within **7 working days** of the conclusion of the hearing.

If a disciplinary warning has been issued, the written notification will set out the reasons for the warning, the improvement required, how monitoring will take place, the period for which the warning will be in force, the likely penalties for failure to meet the conditions of the warning, and the employee's right of appeal.

Where the disciplinary action taken is dismissal, the written notification will state the reason for the dismissal, the date on which their employment will terminate (taking into account the employee's required notice period if appropriate), and the employee's right of appeal.

#### 26.16 The Right of Appeal

The employee will have the right of appeal against any disciplinary penalty imposed. The grounds for appeal may be substantive or procedural. The written notification of the disciplinary decision will identify the person to whom the appeal should be made.

A written appeal must be lodged within **10 working days** of being in receipt of the disciplinary decision. Any extension to this time limit will only be considered in exceptional circumstances. The appeal should state clearly the ground(s) on which the employee wishes to appeal.

#### 26.17 Notification

Appeals against any disciplinary action/dismissal should be held within **20 working days** of the appeal being lodged. The employee will be given written notice of the time and date of the appeal hearing, the right to accompaniment, together with names of the individuals who will make up the Appeal Panel at least **5 working days** in advance of the hearing taking place.

#### **26.18 Accompaniment**

The employee has the right to be accompanied to the disciplinary appeal hearing by another employee of the University as a friend. The accompanying person may confer with the employee during the hearing and, at the employee's request, may address the Chair/panel and summarise the case at the end. S/he however, entitled to answer questions on behalf of the employee. Neither the employee nor the University will have legal representation at the hearing.

The Chair has the authority to allow other individuals to accompany the employee in exceptional circumstances.

#### **26.19 Witnesses**

The names of any witnesses to be called by the employee must be made available to HR no later than **2 working days** prior to the hearing. It is wholly the responsibility of the employee to make contact with any individuals who may serve as witnesses and to arrange their attendance. The Investigation Manager may also call witnesses along with the Panel. The employee will be advised of the names of these witnesses within 2 working days of the hearing except where witnesses may be called in response to identification of the employee's witnesses. The Panel Chair has discretion to allow the submission of witness statements in the absence of the physical presence of the witnesses or to allow remote audio-visual means for hearing witnesses.

#### **26.20 Selection of the Appeal Panel**

The Vice-Chancellor will appoint an Appeal Panel in accordance with the following compositions but reserves the right, in exceptional circumstances, to modify or replace the compositions if the University deems it necessary. An appeal hearing will be initiated with assistance from HR on the process to be followed. Where the case is against a senior member of HR or the Registrar, an external source of administrative support for the hearing will be identified: The Appeal Panel will consist of two senior members of staff appointed by the Vice-Chancellor, with one member acting as chair. Those appointed will have had no previous involvement in the case.

#### **26.21 Composition of the Appeal Panel for members of the Executive/Vice-Chancellor**

The Appeal Panel will consist of two members of the Board of Trustees. Those appointed will have had no previous involvement in the case.

The members of any Appeal Panel must have no substantial conflict of interest in the appeal and should have had no substantial previous involvement in earlier stages of the disciplinary case.

The Chair of the Appeal Panel and the panel members will be provided with all the material presented at the original hearing. In addition, the Appeal Panel will be provided with the appellant's

letter stating the grounds for the appeal. The employee and his/her companion will have the right to comment on any new evidence that arises during the appeal before any decision is taken.

The Appeal Panel will hear evidence from both parties, ie the employee and the Chair of the original Disciplinary Panel. Both parties will be given the opportunity to present their case and call witnesses.

A representative from Human Resources will be in attendance at formal Disciplinary Appeal Hearings

#### **26.22 Attendance at Hearing**

The employee should take all reasonable steps to attend the hearing as scheduled in the written notification. HR will make a reasonable attempt to find an alternative date for a hearing if requested by the employee. A hearing will only be deemed to have taken place if the employee concerned has had a reasonable opportunity to attend. Where an employee fails to co-operate, attend or remain at a hearing without good reason a decision may be taken in his/her absence based on the evidence available.

Employees may sometimes be unable to attend a hearing by reason of ill health. In such circumstances the employee may be required to submit a medical certificate. The Chair may determine whether to proceed with the hearing based on the evidence available or defer for a reasonable period of time.

#### **26.23 Conduct of the Hearing**

At the appeal hearing the reasoning for the original decision of the disciplinary panel will usually be presented first, normally by the chair of the Disciplinary Panel, followed by the appeal submission from the employee. Both sides are entitled to call witnesses and will be given the opportunity to raise points about the information provided by witnesses. Direct questions may be put to any witnesses at the discretion of the panel chair. The Appeal Panel may also call and question witnesses. After all the submissions have been made and the questioning has been completed, both sides will be asked to summarize the main points of the case. The panel will then withdraw to consider its decision.

#### **26.24 Authority of the Appeal Panel**

Any decision/action taken at appeal will not exceed the severity of the action imposed by the original Disciplinary Panel.

The Appeal Panel has the authority to:-

- (i) uphold the original decision;
- (ii) annul the original decision and withdraw all disciplinary actions;
- (iii) uphold the original decision in whole or in part but withdraw the original disciplinary action(s) in whole or in part and substitute a penalty of lesser or equivalent severity.

#### **Decision and Written Notification**

On hearing all the evidence the Appeal Panel will adjourn to consider its decision. The decision will be confirmed to the employee in writing within **7 working days** of the conclusion of the hearing.

The Panel may also make recommendations to the original Panel following the appeal hearing.

The decision of the Appeal Panel will be final and will mark the final stage of the University procedures after which the employee may apply to the University Ombudsperson.

#### Note

A working day is defined as a weekday – Sunday – Thursday but excluding public holidays and additional days when the University is closed.

The University does not allow audio or visual recording of meetings or hearings

## 27 CAPABILITY PROCEDURE

### 27.1 Defining capability

- Capability refers to an employee's ability to perform work to the required standard. This may be assessed by reference to an employee's skill, aptitude, health or any other physical or mental quality in relation to the job that they are employed to do. A lack of capability or underperformance may be apparent where an employee is not performing the job to the standard required. The Capability Policy provides a framework to address underperformance where this appears to be due to an employee's capability to do a job rather than conduct or behaviour i.e. in broad terms the employee 'can't' rather than 'won't' do
- It should be recognized that capability problems may be outside the employee's direct control and may be symptomatic of underlying work problems or other issues. Few employees choose to perform their work badly, make mistakes or fail to complete tasks. In the event that an employee is underperforming, a manager should identify underlying causes and support the employee as far as practicable. Particular care should be taken when disability or health issues are involved and advice sought from HR. The University is committed to ensure that all employees are given a reasonable opportunity to deliver a high level of performance at work.
- Action should be taken promptly as soon as it is noticed that an employee is not performing satisfactorily. Delaying or doing nothing may cause the performance problem to escalate and cause delay in providing the necessary support to the individual. This procedure must not be used for managing cases of sickness absence or misconduct. For such cases, reference should be made to the sickness absence or disciplinary procedure. Performance issues identified during an individual's probationary period should be addressed under the probationary procedure.
- It is the responsibility of managers to ensure that any performance issues are addressed at an early stage and where possible resolved on an informal basis without recourse to the formal procedure.



- Where any instances of underperformance are identified, the Capability Policy provides a framework for managing cases in a constructive, fair and consistent manner.
- The focus of the Capability Policy and procedure is to resolve performance problems by providing appropriate support to enable the employee to perform to the standard required
- Performance issues identified during an individual's probationary period should be dealt with under the probationary procedure.
- Any capability hearing must have regard to evidence that managers have been supportive of employees, helping them to take action to improve their performance and considering any mitigating circumstances that may be affecting their performance. A capability hearing should also consider evidence that an employee co-operated with the line manager in attempting to improve his or her performance.
- This Policy seeks to ensure that performance matters are dealt with sensitively and with due respect for the privacy of any individuals involved. All those involved must treat as confidential any information shared with them under this procedure.
- Employees will not normally be dismissed for performance reasons without previous improvement notices. Where, however, an employee's performance falls significantly below the acceptable standard and/or the actual or potential consequences are, or could be, extremely serious, moving straight to the formal stage 3 meeting may exceptionally be appropriate.
- Every effort will be made to comply with the timescales stated in this Policy. If however, due to the complexity and/or specific circumstances of a case, timescales need to be extended, the employee will be advised of the reasons for any delay.

## **27.2 Informal discussions**

In the first instance line managers should seek to resolve performance issues informally and as early as possible as part of normal day to day management. Ideally this would be within a few days of the issues being identified. Informal discussions should:

- Explain the nature of the concerns (providing specific examples as appropriate).
- Set out the expected standards of performance.
- Establish the likely causes of underperformance and identify any actions required by the employee or manager to aid improvement eg training or other sources of support.
- Set targets and timescales for improvement and review dates. Where feasible, they should be agreed between the employee and the manager.
- Explain the potential consequences of not achieving the required improvements in performance.

The manager may consider a range of actions including the provision of advice and guidance, training, coaching, mentoring, work shadowing or other informal action e.g. counselling.

The manager may confirm the outcomes of any informal discussion in writing to the employee and retain any notes of these informal discussions or meetings for reference purposes. Where there is satisfactory improvement, the matter will be considered resolved.

## **27.3 Further action**

If performance does not meet acceptable standards, and informal action is not considered appropriate or has not succeeded in addressing the problem, the manager should consider whether there are grounds for undertaking formal action under this procedure. The assessment necessary will depend on the circumstances but may involve reviewing the employee's personnel file, gathering relevant documents, monitoring the employee's work and, if appropriate, interviewing the employee and witnesses confidentially regarding the employee's work.

Where there are grounds for taking formal action regarding alleged underperformance, the employee will be required to attend a capability meeting. A formal capability meeting will fall under one of the formal meeting stages one to three). The employee should receive at least five working days written notice of the capability meeting. The letter inviting the employee to the meeting will outline the purpose of the meeting, the performance issues to be considered and the potential outcome if it is decided that the employee's performance has been unsatisfactory. The letter will inform the employee of the date, time and place of the meeting and of the employee's right to be accompanied by a colleague.

At least three working days prior to a formal capability meeting the employee must inform the manager conducting the meeting of the names of any nominated witnesses they wish to call, any written submissions they wish to have considered, any documentary evidence they intend to rely on at the meeting and, where requested, an explanation of the relevance of both their own and any witness evidence. The meeting will be held by the employee's line manager or a more senior manager and will be attended by an HR representative.

The aims of a capability meeting will include:

- Setting out the required standards that it is considered the employee has failed to meet and considering any relevant evidence.
- Giving the employee the opportunity to ask questions, present evidence, call witnesses, respond to evidence and make representations.
- Establishing the likely causes of underperformance including any reasons why measures taken so far have not led to the required improvement.
- Identifying whether there are any further measures, such as additional training or supervision, which may improve performance.
- Discussing and agreeing where possible targets for improvement and a timescale for review
- Ensuring a reasonable period of time is provided for the individual to demonstrate improved performance.
- If dismissal is a possibility (stage 3 only), establishing whether there is any likelihood of a significant improvement being made within a reasonable timeframe and whether there is any practical alternative to dismissal.
- A meeting may be adjourned if it is necessary to gather further information or to give further consideration to matters discussed at the meeting.
- The employee will be informed in writing of the outcome of the formal capability meeting and the reasons for it within five working days.

#### **27.4 Formal stage one meeting**

If an employee's performance does not meet acceptable standards, and informal action is not considered appropriate or has not succeeded in addressing the problem, the employee may be required to attend a formal stage one meeting.

The employee will be invited to a formal meeting and will have the right to be accompanied by another employee of the university as a friend.

If as a result of the meeting and the evidence presented, the employee's performance is considered to be satisfactory and no further action is required, this will be confirmed to the employee in writing.

If as a result of the meeting and the evidence presented, the employee's performance is considered unsatisfactory, the manager will write to the employee, issuing a First Improvement Notice. The First Improvement Notice will state the improvement in performance required, targets and timescales for improvement ('the review period'), any support to be provided and the consequence of not meeting the performance targets within the review period. It will also set out the employee's right of appeal.

A copy of the First Improvement Notice will be retained on the employee's personnel file. The First Improvement Notice will remain active for a specified period (eg six months) after which time it will be disregarded for the purposes of the capability procedure. After the review period the First Improvement Notice will remain permanently on file for reference purposes, but will be disregarded for the purposes of deciding on the appropriate action or outcome of any future capability proceedings.

The manager will monitor the employee's performance during the review period and hold regular review meetings with the employee. A plan for improvement of performance should be used to record actions taken and progress made during the review period. On completion of the review period, the manager will write to the employee to inform them of the outcome that either:

- The employee has met the performance standards set and no further action will be taken; or
- The employee has not met the performance standards set and the matter will be progressed to formal stage two; or
- Progress has been made towards meeting the standards set, but they have not been achieved fully (or other factors have been present e.g. sickness or leave) and the review period will be extended or other options considered.

## **27.5 Formal stage two meeting**

If the employee has failed to meet the performance targets as set out in the First Improvement Notice, or there is further evidence of underperformance while the First Improvement Notice is still active, or the performance issues are sufficiently serious, the employee may be required to attend a formal stage two meeting.

The Employee will be invited to a formal meeting and will have the right to be accompanied by a trade union representative or a colleague.

If as a result of the formal stage two meeting the employee's performance is unsatisfactory, he/she will write to the employee with a Final Improvement Notice. The Final Improvement Notice will state the improvement in performance required, the targets and timescales for improvement ('the review period'), any support to be provided and the consequence of not meeting the performance targets within the review period. It will also set out the employee's right of appeal.

A copy of the Final Improvement Notice will be retained on the employee's personnel file. The Final Improvement Notice will remain active for a specified period after which time it will be disregarded for the purposes of the capability procedure. After the review period the Final Improvement Notice will remain permanently on file for reference purposes but will be disregarded for the purposes of deciding on the appropriate action or outcome of any future capability proceedings.

The manager will monitor the employee's performance during the review period and hold regular review meetings with the employee, on the basis of a specific, written plan. The written plan should be used to record actions taken and progress made during the review period. On completion the manager will write to the employee to state that either:

- The employee has met the performance standards set and no further action will be taken; or
- The employee has not met the performance standards set and the matter will be progressed to formal stage three; or
- Progress has been made towards meeting the standards set, but they have not been achieved fully (or other factors have been present e.g. sickness or leave) and the review period will be extended or other options considered.

### **27.6 Formal stage three meeting**

If the employee's performance has failed to improve sufficiently as detailed in the Final Improvement Notice whilst that Notice is still live, or if the underperformance has been so serious as to warrant moving straight to a formal stage 3 meeting, the employee will be invited to a formal stage three meeting as set out above.

The formal stage three meeting will be conducted by the Head of Institution or nominated deputy who will be accompanied by a member of the HR Department. The employee's manager will also attend the meeting to present the details of the underperformance and any steps taken to address these.

The employee will have the right to be accompanied by a colleague.

Following the meeting, if it is decided that the employee's performance is unsatisfactory, the Head of Institution or nominated deputy, may consider one or more of the following options, (this list is not exhaustive):

- Issue a First or Final Improvement Notice (where one is not already active).
- Extend a Final Improvement Notice and set a further review period (where a substantial improvement is likely within the review period).
- Consider alternatives to dismissal such as redeployment to a suitable available post within the University or other appropriate action short of dismissal.
- Dismiss on grounds of capability.

Any dismissal will be with full notice or payment in lieu of notice, unless the employee's underperformance has been serious enough to overturn the contract between the University and the employee thus justifying a formal stage 3 meeting and the possibility of dismissal without notice. For the purposes of this Policy, this may include gross incompetence, gross negligence or any act or omission which brings the University into serious disrepute.

The decision will be confirmed in writing within five working days of the meeting. The letter shall also notify the employee of their right to appeal against any sanction. In the event that the decision is taken to dismiss the employee, the letter will include the reasons for dismissal, the date that their employment will terminate and the right of appeal.

### **27.8 Concerns and appeals**

Employees who feel that they have been treated unreasonably under any section of the Capability procedure can, in the first instance, raise the matter with their manager, the Head of Institution, or HR. Employees have a right to appeal against a decision to issue an Improvement Notice, other sanction or dismissal in accordance with university procedures

### **27.9 Long term absence**

The following procedure may be followed where an employee has been absent from work on a long-term, but not necessarily continuous, basis due to ill health. Its purpose is to ensure that

the University gives the employee full encouragement and assistance in relation to his or her return to work. Where appropriate, the University will consider redeployment, retraining, and workplace adjustments. If these prove impracticable or unsuccessful, the University may consider termination of employment as an outcome.

#### **27.10 General Principles**

The University will endeavour to maintain regular contact with the employee throughout the period of absence (unless medical evidence indicates that such contact may be harmful to the employee).

The University may refer employees for an occupational health assessment after an absence period of 15 continuous working days or more.

The employee has a responsibility to ensure that, as outlined in the Sickness Absence Policy, the University is kept fully informed during the absence.

If not already known, the University will ascertain the reason for the absence from the employee (by way of an informal meeting with the employee, if possible). If the employee is absent, this meeting may need to take place at the employee's home or other location at a time and date convenient to the employee.

This document is a statement of the University's policy and procedure and does not form part of any contract of employment or otherwise have contractual effect. The University reserves the right, with the agreement of all the parties involved, to make practical/operational changes to these documented procedures to suit individual case requirements

#### **27.11 Ill Health Retirement**

The University will usually explore the possibility of ill health retirement with the employee prior to implementing any other termination of employment on grounds of capability.

#### **27.12 Investigation**

The University will consider the evidence available as to whether improvement in the employee's medical condition is likely, by seeking consent from the employee to:

- (a) contact the employee's medical adviser
- (b) obtain a report through the University's Health Service

Application for a report from the medical adviser will only be made with the employee's permission. The University will share with the employee any report that it receives from another adviser. In the event that the employee does not provide the information sought or refuses to grant permission, the University will proceed on the basis of the information that it has. Where a medical report has been obtained, the University will consider any recommendations in relation to actions that may be taken to support the employee in his or

her return to work. The University will endeavour to meet with the employee to discuss the terms of the medical report obtained, any recommendations therein, whether any measures can be taken by the University to assist the employee in returning to work and the employee's own view on the situation. If the University considers that the employee is unlikely to return to work or a suitable alternative role within a reasonable time, then it may convene a capability meeting. The employee will receive advance written notice of a capability meeting from the University. The notice letter will:

- (i) set out the date, time and place of the meeting;
- (ii) set out the reasons for holding the meeting and what is to be discussed at the meeting, in sufficient detail to enable the employee to respond appropriately;
- (iii) advise of the employee's right to be accompanied by a colleague or trade union representative;
- (iv) provide copies of any other supporting evidence on which the University intends to rely; and
- (v) notify the employee that a potential outcome of the meeting may be termination of employment on the grounds of ill health capability.

#### **27.13 Capability meeting**

- A capability meeting will normally be convened within 4 weeks of the employee receiving the notice of the meeting and accompanying papers. No decision will be made as to whether any capability action is to be taken or the nature of any capability action to be taken before the meeting takes place.
- Where possible, the meeting will usually be chaired by the senior line manager (ie the manager of the line manager) unless s/he was previously involved in the case or a reasonable or substantive objection to this is raised, and another senior member of a different School/Unit, who will serve as a panel member (the "Panel"). A member of Human Resources will be in attendance.

At the meeting, the Panel will consider the matter fully, including the recommendations made in the medical report or associated paperwork and considerations in relation to:

- (i) whether any recommended adjustments are viable within a reasonable time frame;
- (ii) whether there is a possibility of suitable alternative roles/duties;
- (iii) whether a further medical report is necessary; and
- (iv) whether termination of employment is an appropriate outcome.

- In taking a decision as to what action may be taken in relation to the employee's absence, the University will consider:

- (i) the nature of the illness and prognosis from the evidence available;
- (ii) the effect of continued absence on the efficient service delivery and impact on the School/Unit;
- (iii) the employee's representations on the situation.

Employees are entitled to be accompanied at any formal hearing (including any appeal hearing) by a work colleague or trade union representative. The person accompanying the employee is entitled to advise the employee, address the hearing and ask questions but not to answer questions on the employee's behalf.

#### **27.14 Decision**

Written notification of the outcome of the hearing will be sent to the employee within **7 working days** of the hearing. The letter will inform the employee of:

- (i) any proposed action to be taken by the employee;
- (ii) any action to be taken by the University; and
- (iii) the right of appeal.

#### **27.15 Termination of Employment**

A potential outcome of the capability meeting may be termination of employment on the grounds of capability.

#### **27.16 The Right of Appeal**

The employee is entitled to appeal against the decision of the Panel and any appeal should be submitted to the Registrar within **10 working days** of receipt of the written confirmation of the action. Consideration may be given to extending this time period on submission of mitigating circumstances to the Registrar. The employee should specify the grounds for the appeal against the action taken.

The Appeal Panel will consist of two members of staff or university trustees with no previous involvement in the case, one of whom will act as Chair. A representative of HR will be in attendance to give advice and to act as secretary. The employee is entitled to be accompanied at the appeal by a colleague or trade union representative. The Appeal Panel may:

- (i) uphold the original decision; or
- (ii) annul the original decision; or (iii) uphold the original decision in whole or in part but substitute an alternative action.

The decision of the Appeal Panel will be final and forms the final stage of the University's procedures.

## **28 AUW WHISTLEBLOWING, ANTI-FRAUD AND BRIBERY POLICY**

### **28.1 Introduction**

The University is committed to the achievements of high standards of openness, honest and accountability to the prevention of fraud and corruption and the promotion of a culture that opposes fraud and corruption. All members of staff and suppliers are required to act with honesty and integrity. The University encourages reports on any genuine concerns about evidence of wrong-doing

The aims of the policy are to:

- Remind staff of their own responsibilities
- encourage members to report suspected wrongdoing at the first opportunity in the confidence that their concerns will be investigated as appropriate,
- provide guidance on how to raise concerns
- assure staff that they will not face reprisals in response to the expression of genuine concerns

### **28.2 Definitions and scope of policy**

Whistle-blowing is the disclosure of alleged wrongdoing within the University under this policy. It may be concerned with allegations of :

a criminal offence;

- failure to comply with a legal obligation; miscarriage of justice;
  - financial fraud
  - corruption, bribery or blackmail
  - mismanagement of impropriety
  - failure to comply with a legal or regulatory obligation (including research misconduct)
  - improper conduct or unethical behavior including unauthorized disclosure of confidential information endangering health and safety;
  - damage to the environment or deliberate concealment of incidents
- Fraud is the use of deception to deprive, disadvantage or cause loss to another person or party; or to secure unwarranted personal gain. Examples include (but are not limited to) falsely claiming academic and other achievements, submitting false documentation, falsely



claiming expenses, not declaring absences from the UK, failing to repay advances of stipend or payments an individual is not otherwise entitled to. Individuals may be open to prosecution by the authorities in addition to any action taken internally by the University.

- Bribery is the offer, promise, gift, acceptance or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements may take the forms of money, gifts, loans, rewards or other advantages. Bribery involves a member of AUW staff acting voluntarily in breach of trust in exchange for a benefit

### **28.3 Reporting suspicions**

Those suspecting actual, attempted or suspected fraud should report their concerns in the first instance to the Registrar. Individuals should not attempt personally to investigate any fraud. In the event that any complaint or suspicion should fall on the Registrar, then the initial approach may be made to the Vice-Chancellor. Employees are encouraged to raise concerns about matters of public interest in good faith. The University will take all reasonable steps to ensure that confidentiality is maintained in such cases, and that those making complaints are not disadvantaged in any way by doing so.

- Members of the University for the purpose of this policy include: casual and temporary staff and anyone else working in the University through an agency, on a self-employed basis, contractors and suppliers, volunteers, honorary staff and students
- The procedure set out in this procedure is distinct from existing internal procedures for addressing individual complaints by staff connected with their personal circumstances at work, terms of employment, or other issues and from procedures for dealing with complaints or appeals by students. This procedure may not be used to re-open or review a matter decided through those other procedures or to question financial or business decisions made by the University. This policy is in place to assist individuals who believe there is an instance of wrongdoing which needs investigation.

### **28.4 Responsibilities**

The Board of Trustees has ultimate responsibility. The Registrar is responsible to the Vice-Chancellor and the Board of Trustees for

- Regularly reviewing the whistle-blowing and anti-fraud policies and arrangements for compliance to ensure that they remain effective and relevant.
- Investigation of all allegations of fraud and pursuing appropriate action, including legal action.

The Registrar will work with the Chief Finance Officer to:

- Develop and implement adequate systems of internal control to prevent and detect fraud, bribery and wrong doing with relation to financial matters.:
- ensure that the university's reputation and assets are protected against fraud or bribery:
- report to the Board of Trustees on all aspects of fraud risk management including known or suspected fraud.:
- assist in the investigation of suspected fraud or bribery.:

- monitor compliance with internal controls and agreed policies and procedures:
- Work with the Procurement Department to ensure that suppliers are aware of the policy.

#### **28.5 Investigation of allegations**

The University Registrar will investigate any allegations, reporting on the findings to the Vice-Chancellor. The Registrar will inform the Board of Trustees of any allegations that may be upheld. The Registrar will have discretion to determine the method of investigation, ensuring a fair, proportionate and thorough examination of the allegations and evidence. The Registrar will aim to complete an investigation within thirty working days, and will inform the complainant of the reasons for any extension to that deadline.

#### **28.6 Confidentiality and safeguards**

The University will protect an individual who makes a whistle-blowing allegation if that complainant reasonably believes s/he is acting responsibly in doing so and the disclosure is made in accordance with this policy. Anyone reporting a disclosure is encouraged to identify him/herself. In case an individual wishes to raise a whistle-blowing concern confidentially, the University will make a reasonable effort to keep that individual's identity confidential.

The University will use discretion to consider how to respond to concerns that are expressed anonymously, according to the seriousness of the issues and the likelihood of confirming the allegation from alternative, credible sources. In the event that the University decides that it has to reveal the identity of the individual making the disclosure, this will be discussed with the individual who will be advised prior to the release of their identity. The investigation process may require that the source of the information and the individual making the disclosure provide a statement as part of the evidence required or to assist with further investigation. All reasonable steps will be taken to ensure that the whistleblower suffers no detriment as a result of their identity becoming known. Similarly a whistleblower who is a contractor or supplier of the University who raises a concern will not be subject to sanctions or discrimination against their business.

Employees who raise concerns about certain matters of public interest in good faith. The University will take all reasonable steps to ensure that confidentiality is maintained in such cases, and that those making complaints are not disadvantaged in any way by doing so.

The University requires all members and suppliers to act with honesty and integrity and to report all reasonable suspicions of fraud. The University will investigate all instances of alleged, attempted or actual fraud.

#### **28.7 Review by the Ombudsperson**

Any individual who is dissatisfied by the handling of a complaint under this procedure may approach the University Ombudsperson following the conclusion of internal procedures. The Registrar will inform the complainant in writing when the internal procedure has been completed and explain how to approach the Ombudsperson.

### **29 Service Notice**

Where under the Sections and Regulations it is found difficult to serve any notice, charge or other documents upon a staff member, or to communicate any information or administrative decision to a staff member, it shall be sufficient if such notice, charge, document, information or decision is sent by registered post addressed to his/her usual or last known address, post office box or where it is practicable, delivered personally at his/her usual or last known residence.

## **29 LEAVING UNIVERSITY SERVICE**

### **1. Separation from service may result from:**

- [a] Action taken by the staff member (resignation, retirement);
- [b] Action taken by AUW (dismissal, discharge or termination of appointment);
- [c] On the expiration of contract;
- [d] Other (conviction, death);

### **29.1 Resignation**

A member of staff may resign by giving written notice to the line manager (subject to the notice period specified in his or her contract). The line manager may authorize a shorter period of notice although the member of staff will surrender a proportionate amount of salary, leave entitlement and any other benefits in lieu of that notice period.

### **29.2 Termination for disciplinary or capability reasons**

The Vice-Chancellor may terminate the appointment of a member of staff following the completion of due process, in accordance with the terms of the contract, the University's commitment to the fair and reasonable treatment of all employees and principles of equality and diversity.

### **29.3 Arrangements for administration of departure of an employee**

The line manager or HR will send the employee written acknowledgement of the resignation. The letter will confirm the final date of service, details of the payment of the salary and any final adjustments to salary or benefits. The employee must comply with HR requirements for the processing of the resignation before the completion of the final payment.

A departing member of staff must make reimbursement of any debits to the University and return any equipment or other university property before the final salary payment is processed. The employee is responsible for paying for any damage to equipment or property.

The University will issue a certificate to any departing employee stating the role and the length of service. The University will comply with any reasonable request for a reference from a prospective employer.

The HR Department will notify the IT Department of the departure of a member of staff, so that IT access can be terminated from the effective departure date. The Registrar may

approve a defined extension to the termination date in the operational interests of the University.

#### **29.4 Exit feedback**

HR will invite each departing employee to give exit feedback, which will be shared with the employer. any issues raised may be discussed HR will prepare for the University Executive a confidential periodic report analyzing the feedback received during the period The report will not refer to individuals.