

Ngee Ann Polytechnic (Staff — Conduct and Discipline) Rules

Table of Contents

1 Citation

2 Definition

3 Staff Disciplinary Committee

3A Disciplinary action by Principal

3B Appeal to Staff Disciplinary Committee

4 Action by Staff Disciplinary Committee

5 Rights of employee and procedure

6 Adjournments

7 Absence of member of committee

8 Attempts to hamper inquiry

9 Report to Staff Disciplinary Committee

10 Decision of Staff Disciplinary Committee

11 Further hearing

12 Failure to furnish exculpatory statement

13 Appeal to Council

14 Dissolution of committee of inquiry

15 Interdiction

16 Criminal proceedings

17 Conviction

18 Withholding of increment

19 Prohibition on resignation

20 Financial penalties to be paid to Polytechnic

THE SCHEDULE Disciplinary Offences

Legislative History

NGEE ANN POLYTECHNIC ACT (CHAPTER 207, SECTION 24)

NGEE ANN POLYTECHNIC (STAFF — CONDUCT AND DISCIPLINE) RULES

R 4

REVISED EDITION 1990

(25th March 1992)

[10th September 1982]

Citation

1. These Rules may be cited as the Ngee Ann Polytechnic (Staff — Conduct and Discipline) Rules.

Definition

2. In these Rules, unless the context otherwise requires —

“authorised person” means a person appointed under rule 3A(1) to conduct a preliminary investigation into a complaint made against an employee;

[S 71/2003 wef 14/02/2003]

“committee of inquiry” means the committee of inquiry appointed under rule 4(4);

[S 71/2003 wef 14/02/2003]

“emoluments” include any increment, allowance or other benefit which an employee is or may become entitled to during the period disciplinary proceedings are instituted against him under these Rules;

“employee” means any employee of the Polytechnic whether the employee is holding a permanent, temporary or contractual appointment;

“Staff Disciplinary Committee” means the Staff Disciplinary Committee appointed under rule 3(1).

Staff Disciplinary Committee

3.—(1) For the purposes of these Rules, the Council shall appoint a Staff Disciplinary Committee consisting of 3 members of whom one shall be a member of the Council and the remaining members shall be persons who are not members of the Council. Two members of the Staff Disciplinary Committee shall form a quorum.

(2) *[Deleted by S 71/2003 wef 14/02/2003]*

(3) *[Deleted by S 71/2003 wef 14/02/2003]*

(4) *[Deleted by S 71/2003 wef 14/02/2003]*

(5) *[Deleted by S 71/2003 wef 14/02/2003]*

(6) *[Deleted by S 71/2003 wef 14/02/2003]*

(7) *[Deleted by S 71/2003 wef 14/02/2003]*

(8) *[Deleted by S 71/2003 wef 14/02/2003]*

(9) *[Deleted by S 71/2003 wef 14/02/2003]*

(10) *[Deleted by S 71/2003 wef 14/02/2003]*

(11) *[Deleted by S 71/2003 wef 14/02/2003]*

Disciplinary action by Principal

3A.—(1) Where a complaint is made to the Principal or any information comes to his knowledge that an employee has or may have committed an act which, if established, would constitute any of the disciplinary offences specified in the Schedule, the Principal shall appoint one or more authorised persons to conduct a preliminary investigation into the complaint or information.

(2) The authorised person shall notify the employee in writing of the complaint made against him or the information referred to in paragraph (1).

(3) An employee who has received a notification under paragraph (2) shall submit to

the authorised person a written explanation or reply to the matters set out in the notification within 7 days of the receipt of the notification.

(4) Notwithstanding the failure of an employee to submit a written explanation or reply under paragraph (3) —

- (a) the authorised person may proceed to conduct a preliminary investigation into the complaint or the matter and shall submit a report to the Principal in accordance with paragraph (5); and
- (b) the Principal may proceed to make a determination in respect of the complaint or matter in accordance with paragraph (6).

(5) The authorised person shall, after considering the case made against the employee, his reply thereto (if any) and the results of the investigation, submit a report of the investigation to the Principal within 14 days of the conclusion of the investigation of the case.

(6) The Principal may, after considering the report of the investigation, do any of the following:

- (a) if he is of the opinion that the allegation against the employee has not been established, he may dismiss the complaint or matter and strike the complaint or matter from the records;
- (b) if he is of the opinion that the allegation against the employee has been established but is not serious enough to warrant dismissal or reduction in rank, he may —
 - (i) order that any increment due to the employee concerned be stopped or deferred for a period not exceeding one year;
 - (ii) impose a financial penalty not exceeding one month's emoluments of the employee;
 - (iii) reprimand the employee; or
 - (iv) impose a combination of the penalties referred to in subparagraphs (i), (ii) and (iii);
- (c) if he is of the opinion that the allegation has been established and is serious enough to warrant dismissal or reduction in rank, he may refer the complaint or matter to the Staff Disciplinary Committee together with a copy of the report of the investigation submitted by the authorised person under paragraph (5).

[S 71/2003 wef 14/02/2003]

Appeal to Staff Disciplinary Committee

3B.—(1) Where an employee is dissatisfied with the decision of the Principal under rule 3A(6)(b), he may lodge an appeal with the Staff Disciplinary Committee within 14 days of the decision —

- (a) stating briefly and concisely the grounds upon which he is dissatisfied with the decision of the Principal; and
- (b) asking for a reconsideration of the decision.

(2) After consideration of an appeal lodged under paragraph (1), the Staff Disciplinary Committee may determine the case in such manner as it thinks fit and may —

- (a) dismiss the appeal;
- (b) allow the appeal and quash the decision of the Principal; or
- (c) substitute the penalty imposed by the Principal with such other penalty referred to in rule 3A(6)(b) as it thinks fit.

(3) The decision of the Staff Disciplinary Committee under paragraph (2) shall be final and binding.

[S 71/2003 wef 14/02/2003]

Action by Staff Disciplinary Committee

4.—(1) The Staff Disciplinary Committee may, after considering the report of investigation referred by the Principal under rule 3A(6)(c), cause proceedings to be taken under this rule and rules 5 to 12.

[S 71/2003 wef 14/02/2003]

(2) The employee shall be notified in writing by the Staff Disciplinary Committee of the grounds, which shall be reduced to the form of a definite charge or charges, upon which it is intended to dismiss him or to reduce his rank.

(3) The employee shall be given not less than 7 days within which to exculpate himself in writing, and he shall also be notified in writing of any other circumstances which it is proposed to take into consideration.

(4) If the employee submits an exculpatory statement which is not satisfactory, the Staff Disciplinary Committee shall appoint a committee of inquiry to inquire into the matter and to submit a report to the Staff Disciplinary Committee.

[S 71/2003 wef 14/02/2003]

(5) The committee of inquiry shall consist of the following:

- (a) a member of the staff of the Polytechnic;