



Code of Conduct and Disciplinary Procedures

ERATOSTHENES Centre of Excellence

EXCELLENCE RESEARCH CENTRE FOR EARTH SURVEILLANCE &
SPACE-BASED MONITORING OF THE ENVIRONMENT



ERATOSTHENES CENTRE OF EXCELLENCE

CODE OF CONDUCT AND DISCIPLINARY PROCEDURES

SCOPE

The Code of Conduct (Code) applies to the following members of the Eratosthenes Center of Excellence (“ECoE”):

- Members of the Board of Directors;
- Managing Director;
- External Advisory Board;
- researchers, managers, staff, and administration;
- any individual employed by the ECoE
- volunteers and other representatives when speaking or acting on behalf of the ECoE.

Values. Members of the ECoE share these core values:

- Enthusiasm for research and innovation;
- Honesty and rigor in all pursuits ;
- Adherence to free inquiry and critical thinking;
- Commitment to the creation, preservation and dissemination of knowledge;
- Advancement of the life quality and economic welfare of the region and beyond;
- Respect for diversity and all individuals regardless of position;
- Professionalism in our interactions;
- Accountability for resources and relationships;
- Transparency and integrity in decision-making;
- Leadership through shared governance.

Ethical Considerations. It is expected that every employee, in conducting the affairs of the ECoE, will comply with applicable local and European laws as well as the policies and procedures of the ECoE. The standards of conduct in this Code of Conduct, supported through policies, procedures, and workplace rules, provide guidance for making decisions and memorialise the institution's commitment to responsible behaviour.

- All employees of the ECoE who are members of occupations or professions having established standards of conduct shall, in addition to any obligations and responsibilities imposed by this document, be bound by the standards of conduct applicable to such occupations or professions.
- Violations of the above may result in disciplinary action in accordance with the provisions of this document.

STANDARDS OF CONDUCT

The ECoE holds itself and its members to the following standards of conduct:

Act Ethically and with Integrity. Ethical conduct is a fundamental expectation for every member. In practicing and modeling ethical conduct, community members are expected to:

- act according to the highest ethical and professional standards of conduct;
- be personally accountable for individual actions;
- conscientiously fulfill obligations towards colleagues, and in performing duties as part of the ECoE; and
- communicate ethical standards of conduct through instruction and example.

Be Fair and Respectful to Others. The ECoE is committed to tolerance, diversity, and respect for differences. When dealing with others, community members are expected to:

- be respectful, fair, and civil;
- speak candidly and truthfully;
- avoid all forms of harassment, illegal discrimination, threats, or violence;
- provide equal access to programs, facilities, and employment; and
- promote conflict resolution.

Manage Responsibly. The ECoE entrusts members who supervise or instruct employees with significant responsibility. Directors, managers, supervisors, instructors, researchers and advisors are expected to:

- ensure access to and delivery of proper training and guidance on applicable workplace and educational rules, policies, and procedures, including this Code of Conduct;
- ensure compliance with applicable laws, policies, and workplace rules;
- review performance conscientiously and impartially;
- foster intellectual growth and professional development; and
- promote a healthy, innovative, and productive atmosphere that encourages dialogue and is responsive to concerns.

Protect and Preserve ECoE Resources. The ECoE is dedicated to responsible stewardship, its members are expected to:

- use ECoE property, equipment, finances, materials, electronic and other systems, and other resources only for legitimate purposes;
- prevent waste and abuse;

- promote efficient operations;
- follow sound financial practices, including accurate financial reporting, processes to protect assets, and responsible fiscal management and internal controls; and
- engage in appropriate accounting and monitoring.

Promote a Culture of Compliance. The ECoE is committed to meeting legal requirements and to fostering a culture of ethics and compliance.

(a) Expectations – members are expected to:

- learn and follow the laws, regulations, contracts, and ECoE policies and procedures applicable to ECoE activities;
- be proactive to prevent and detect any compliance violations;
- report suspected violations to supervisors or other ECoE officials; and
- ensure that reports of violations within their area of responsibility are properly resolved, including disclosure to sponsors or other state or federal authorities as appropriate.

(b) Prohibition – members are prohibited from retaliating against another member for reporting a suspected compliance violation.

Ethically Conduct of Research. ECoE researchers have an ethical obligation to the ECoE and to the larger global community as they seek knowledge and understanding. ECoE members are expected to:

- propose, conduct and report research with integrity and honesty;
- protect people involved in research;
- learn, follow, and demonstrate accountability for meeting the requirements of sponsors, regulatory bodies, and other applicable entities;
- faithfully transmit research findings;
- protect rights to individual and ECoE intellectual property;
- ensure originality of work, provide credit for the ideas of others upon which their work is built, and be responsible for the accuracy and fairness of information published; and
- fairly assign authorship credit on the basis of an appropriate array of significant intellectual contributions, including: conception, design, and performance; analysis and interpretation; and manuscript preparation and critical editing for intellectual content.

Avoid Conflicts of Interest and Commitment. members have an obligation to be objective and impartial in making decisions on behalf of the ECoE. To ensure this objectivity, members are expected to:

- avoid actual individual or institutional conflicts of interest;
- disclose potential conflicts of interest and adhere to any management plans created to eliminate any conflicts of interest; and
- ensure personal relationships do not interfere with objective judgment in decisions affecting ECoE employment or the academic progress of a community member.

Carefully Manage Public, Private, and Confidential Information. members are the creators and custodians of many types of information. The public right to access and the individual's right to privacy

are both governed by laws and ECoE policies. To meet these responsibilities, community members are expected to:

- learn and follow laws and ECoE policies and agreements regarding access, use, protection, disclosure, retention, and disposal of public, private, and confidential information;
- follow document preservation and retention guidelines; and
- maintain data security using electronic and physical safeguards.

Promote Health and Safety in the Workplace. members have a shared responsibility to ensure a safe, secure, and healthy environment for all ECoE, directors, staff, volunteers, and visitors are expected to:

- follow safe workplace practices, including participating in applicable education sessions, using appropriate personal safety equipment, and reporting accidents, injuries, and unsafe situations;
- maintain security, including securing assets and facilities;
- report suspicious activities; and
- protect the environment, including carefully handling hazardous waste and other potentially harmful agents, materials, or conditions.

DISCIPLINARY PROCEDURE

1. The categories of conduct giving rise to disciplinary action

Offences under the ECoE disciplinary procedure fall into two categories:

1. Misconduct
2. Gross misconduct

What is misconduct?

Misconduct is a less serious breach of the ECoE rules which would not normally result in dismissal for a first offence. The severity and frequency of the breach will be taken into account when determining the level of warning.

The following list, which is neither exhaustive nor exclusive, gives some of the offences deemed to be misconduct:

- Failure to disclose any potential conflicts of interest in personal life or that of a close family member
- Failure to report any criminal conviction or police caution
- Unauthorised absences from work, which have no underlying chronic medical condition and are not disability related
- Minor breach of financial regulations
- Persistent minor breaches of ECoE rules
- Repeated lateness or persistent time wasting

What is gross misconduct?

Gross misconduct is a breach of ECoE policies and disciplinary rules which is so serious that it amounts to fundamental breach of trust and confidence.

An offence which is considered to constitute gross misconduct may lead to dismissal at the first instance. If a person is dismissed for gross misconduct, the dismissal is without notice or payment in lieu of notice.

The following are some of the offences considered to be gross misconduct. This list is not exhaustive or exclusive:

- Any form of assault or physical violence
- Theft, deliberate malpractice, deception, cover up of deficiencies or falsification of documents or accounts
- Serious breach of financial regulations
- Bringing the ECoE into serious disrepute
- Deliberate unauthorised disclosures to a third party of any confidential information or intellectual property
- Failure to comply with the law in all business activities
- Submission of falsified claims for overtime, expenses, advances or allowances or other fraudulent acts
- Falsely reporting or recording sick absence
- Acts of discrimination, bullying, harassment or victimisation of employees, volunteers or visitors to the campus which compromise that person's dignity
- Downloading of inappropriate material from the internet as set out in the IT Acceptable Use Policy
- Serious breach of health and safety procedures
- Deliberate plagiarism
- Incapacity to work due to being under the influence of alcohol or illegal substances
- Using or dealing in illegal substances on ECoE premises
- Wilful damage to property belonging to the ECoE, its visitors or fellow employees
- Serious insubordination
- Abusive behaviour
- Serious negligence
- Serious abuse of research ethics
- Continued absence without leave
- Covert recording of staff, meetings etc – i.e. without express consent

2. Representation

The employee in breach has the right to be accompanied at an investigatory interview and throughout the formal procedure by a lawyer.

There is no right to be accompanied by a companion at meetings under the informal resolution procedure. There may be exceptional situations where the Board of Directors, Human Resources and the employee all agree for a companion to be present.

3. Informal resolution procedure

For minor infringements of discipline, the relevant manager/supervisor will make every effort to resolve the matter by informal discussions with the employee in breach and may write a report confirming the discussions and/or may give an informal verbal warning. With an informal verbal warning under this procedure, the manager will discuss the nature and circumstances of the misconduct and suggest a remedy and timeframe within which the misconduct should be rectified.

No record of an informal verbal warning under this procedure will be kept on the employee's personal file. Where this approach fails to resolve the issue, or repeated minor breaches of discipline occur, the formal disciplinary procedure will be implemented.

4. Formal procedure

4.1. Investigation

As soon as reasonably practicable after a suspected breach of disciplinary rules comes to light, the relevant manager or other appropriate person will instigate an impartial investigation. The purpose of the investigation is to gather facts. In cases of serious allegations of misconduct/gross misconduct the investigator will be appointed by the Head of Department under guidance from Human Resources. The relevant employee will be advised as soon as possible that an investigation is taking place and this will be confirmed to the relevant employee in writing.

The employee in breach will normally be interviewed as part of the investigation, but there may be exceptional circumstances where the ECoE will proceed directly to a formal disciplinary meeting. The employee in breach has the right to be accompanied to a formal investigatory meeting by a companion as defined by this procedure (see section 2 above).

If, as part of an investigation, it is necessary for a member of staff to be interviewed by someone from another organisation (e.g. a regulatory body) that member of staff will have the right to be accompanied by a lawyer, and a member of the ECoE management will also be present.

The ECoE may inform and / or involve the Police and / or any other relevant statutory bodies where required at the appropriate point of the formal Disciplinary Procedure.

4.2. Suspension

If considered appropriate the employee in breach may be suspended from his/ her duties while the investigation is undertaken although he/she will normally only be suspended if:

- a. there is a significant health and safety or business risk or the potential for such risk, and/ or

b. his/her continued presence in the workplace may hinder an investigation taking place.

The employee in breach may be suspended at the beginning or at any time during the investigation depending on the circumstances. If the employee in breach is suspended it will be confirmed to him/her in writing.

Suspension is a precautionary measure only, pending the outcome of disciplinary proceedings and is not a punishment in itself. When suspended the contract of employment will continue in full force and effect and the employee in breach will be paid normal basic pay rate and receive any usual benefits.

The employee in breach will not be allowed onto ECoE premises while suspended without the prior consent of his/her manager/supervisor. When suspended the employee in breach will be required to be available to attend meetings and respond to requests under this procedure.

4.3. Disciplinary meeting

Having established the facts, if there is reasonable belief that the employee in breach has committed a disciplinary offence, the employee in breach will be invited to a disciplinary meeting. The meeting will normally be chaired by the relevant supervisor/manager unless personally involved in the incident or its investigation, in which case it should be the next most senior supervisor/manager.

The employee in breach can have representation present and will be sent a copy of the evidence to be considered at the meeting and will have the opportunity to state his/her case fully. The employee in breach should also give copies of any papers or witness statements that he/she intends to rely on at the meeting at least 2 working days in advance of the meeting to the person dealing with the meeting.

At least 5 working days' notice to attend the meeting must be given to the employee in breach. The meeting will only be re-arranged if a good reason is provided on why the employee is unable to attend.

If the meeting has to be rearranged, at least 2 working days notice of the rearranged date will be given. If the employee in breach unreasonably fails to attend the rearranged meeting the meeting will take place in the employee's in breach absence.

At the meeting member of Human Resources may be present to provide advice on proceedings as appropriate, in cases of misconduct. In cases of gross misconduct a member of Human Resources should be present. A note taker will normally be present to take written notes of the meeting and the employee in breach will receive a copy of the notes of the meeting. The covert recording of such meetings is forbidden and if undertaken will be considered as an act of gross misconduct (as would be any act of covert recording).

4.4. Adjourning the disciplinary meeting

Prior to making a decision the disciplinary meeting will be adjourned to consider all relevant information. The meeting may also be adjourned if necessary for the purpose of clarifying or gathering

additional information. If new information is gathered or clarified the employee in breach will be advised of the new information and given a reasonable time to consider it prior to the meeting being reconvened.

4.5. Confirmation of outcome

Following an adjournment and once the manager conducting the meeting is satisfied that all relevant information has been gathered and properly considered the employee in breach will be advised of the decision and what, if any, disciplinary action is to be taken.

The decision and action will be confirmed to the employee in breach in writing and he/she will receive a copy of the notes of the disciplinary hearing. If employee in breach considers that the notes do not properly reflect the discussion he/she has the right to propose amendments to the record within 5 working days. Where these are agreed, the record will be duly amended. If the proposed amendments are not agreed, the employee in breach comments will be attached to the record. He/she will also be advised of his/her right to appeal against the decision.

5. Formal warnings

Depending on the severity and circumstances of the case, the ECoE may apply at its discretion, either a First Written Warning or a Final Written Warning for misconduct offences. The ECoE will take into account any active warnings that may apply to the employee in breach at the time of the misconduct. The warning issued to will state what the problem is, and if appropriate what is required to correct the problem and the time scale for achieving this. It will also confirm that further disciplinary action will follow if the problem is not satisfactorily rectified or there is further misconduct.

6. Dismissal

6.1 In cases where it is concluded that gross misconduct has taken place, the ECoE may summarily dismiss the employee in breach without notice or payment in lieu of notice.

6.2 In cases of repeated misconduct, the ECoE may dismiss the employee in breach with notice or payment in lieu of notice (unless it is concluded that this constitutes gross misconduct in which case he/she may be summarily dismissed – see 8.1 above).

6.3 The decision to dismiss will be taken at the level of Board of Directors or a nominated deputy, or a more senior officer. Any decision to dismiss shall be communicated to the employee in breach in writing, setting out the nature of the misconduct that led to the dismissal and the right to appeal from the decision.

7. Alternative sanctions to dismissal

Gross misconduct cases may not always result in dismissal. Depending on the circumstances of the case and any mitigating factors, the ECoE may issue the following disciplinary penalties:

- Monetary payments by way of restitution for culpable loss or damage caused by the employee in breach, and/or
- Final written warning.
- Other appropriate actions to prevent the repetition of the misconduct.

There is the right to appeal in accordance with clause 12 below a decision to impose any of the above sanctions.

8. What is an active warning and how long does it remain active?

Being under an active warning means that if the employee commits a further misconduct or gross misconduct offence, the ECoE will take the current warning into account when deciding what action to take. Once the warning has expired it will not be taken into account for disciplinary purposes, but will remain on the employee's in breach personal file in HR for 12 months when it will be removed.

The active warning periods are:

- First written warning 12 months
- Final written warning 12 months

9. Documentation

Following the completion of a disciplinary investigation, hearing or related issue all documents and letters relating to it will be stored confidentially within the Human Resources Department in line with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) as transported into local law.

10. Appeals

The employee in breach has the right of appeal against any formal action under the formal Disciplinary Procedure, save for a decision following an appeal hearing.

The right of appeal must be exercised within 10 working days of receipt of the letter of confirmation of disciplinary action.

The appeal, stating the grounds on which it is made, must be in writing addressed to the Human Resources Manager.

An appeal against a first and final written warning will normally be heard by the Board of Directors or any person properly appointed by the director. The person hearing the appeal will be assisted by a Human Resources Manager.

An appeal against dismissal will be heard by a panel of three members of the Board of Directors.

The ECoE will aim for an appeal to be heard within four weeks of the appeal being lodged, unless otherwise agreed between the parties.

The decision of the appropriate appeal body (communicated in writing to the employee) shall be final within the procedures of the ECoE.