



Ashdown Human Resources

Gross Misconduct

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What is gross misconduct?

Gross misconduct is misconduct which is so serious that it strikes at the very roof of the employee: employer relationship, destroying the employer's trust and confidence in the employee.

Examples of gross misconduct

There are no hard and fast rules as to what offences are gross misconduct as each case needs to be considered on its own particular facts and circumstances. However, the following are examples of potential examples of gross misconduct:

- Dishonesty, theft or fraud
- Falsification of documents and business records
- Inaccurate expenses claims
- A serious breach of confidentiality, including unauthorised access to data
- Working for another employer without permission or using company equipment to carry out work for a third party
- Fighting

Suspension

In some cases it may be necessary to suspend an employee while you carry out an investigation. This should only be done after careful consideration, for example if there is a risk of further misconduct or to prevent witnesses being intimidated. It should always be made clear to the employee that suspension does not constitute a disciplinary sanction. Suspension must always be on full pay.

Dismissal without notice

If an employee is dismissed for gross misconduct they are not entitled to receive either a contractual or statutory notice period or pay in lieu of notice. The dismissal takes effect as soon as notification is given. Holiday pay must however be paid.

Please contact us using our contact form if you have any queries regarding our Human Resources services, or if you would like to order.

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