

Disciplinary Appeal Hearings: Guidance for individuals subject to allegations

Before the Appeal Hearing:

- Ensure that you are in receipt of all documentation relevant to the allegation that is to be discussed:
 - Investigation Report and appendices
 - Copies of relevant policies
 - Disciplinary outcome letter
- Ensure that you have taken the time to read through the outcome letter, and section 7 of the Disciplinary Policy so that you are clear on your grounds for appeal
- Be aware that the Appeal Hearing is not a rehearing of the original Disciplinary Hearing, but instead a focussed hearing to discuss the grounds for appeal as laid out in policy
- You may be asked to provide additional clarification or evidence against the ground(s) you are appealing against, in advance of the hearing.
- If you wish to call witnesses to the hearing, you must submit this request in writing to the Chair of the Disciplinary Hearing, via the People Partner, detailing:
 - Name and job title of the witness
 - What information/evidence can they provide to support the Hearing. This is particularly important if the witness has already provided evidence earlier in the process.

The Chair of the Hearing will then determine whether your request is granted, and on what basis the witness will provide evidence.

- You can seek support at any time during the process, including
 - EAP: [Employee Assistance Programme](#)
 - Link People Partner: [People Team Contacts](#)
 - Trade Unions: [Trade Union Support with a Workplace Issue](#)

During the Hearing:

- The Chair of the Hearing will lead the meeting. They will ensure all parties are introduced, that everybody has had access to the right information, and to confirm the proceedings and agenda for the meeting. This will usually have been provided in advance of the meeting.
- You will be provided with an opportunity to put forward your case. This may be in the form of a pre-prepared statement which you or a colleague/representative could read out, or you may wish to speak/ask questions of the Investigating Officer.
- Remember, this is your opportunity to raise any evidence you feel is relevant, no matter how small. The panel will take into account anything heard and will use all information as part of their deliberations.



- The Chair and Investigating Officer may also have questions for you, to help clarify the information they have in order to make an informed judgement on any potential outcomes.
- We recognise that the appeals process can be a stressful time. If you need to request an adjournment to have a break for a few minutes, or to confer with your Union Representative/colleague, please let the Chair know.

After the Hearing:

- Once the hearing has concluded, the panel will conduct their deliberations in private.
- As part of their deliberations, they will be trying to determine **on the balance of probabilities** whether the basis for your appeal is upheld or not.
- To support the decision-making process, the panel may seek further clarification from you, or other witnesses at this point.
- You will be notified of the panel's decision within 7 calendar days of the Hearing. This may be in writing or may be through a reconvened Hearing to deliver the outcome.
- The outcome letter will provide details of the rationale for the decision. There is no further right of appeal against this decision.

