

FAQ's –Disciplinary Appeal Hearing Employee facing Disciplinary appeal proceedings

We have compiled some frequently asked questions that you may find helpful if you have been invited to attend a Disciplinary Appeal Hearing where the allegation concerns you or your conduct.

If you have further questions that are not covered below, please do not hesitate to contact your People Partner who will be able to offer further advice and guidance.

I don't know where to access support.

We understand that being involved in a Disciplinary Appeal hearing can be a worrying and stressful time. The Appeal Hearing is an opportunity for you to explain your position to the Chair of the panel, to ensure that you have highlighted anything that you feel is particularly important. You are encouraged to make use of the support available before and during the meeting.

In addition to talking to your Link People Partner, you can access the following forms of support:

Trade Union support: [Trade Union Support with a Workplace Issue.](#)

Employee Assistance Programme: [Employee Assistance Programme](#)

Wellbeing Hub: [Staff | Wellbeing & Wellbeing Support](#)

Can I approach Report and Support for assistance with my case?

Ordinarily, Report and Support can only offer assistance if you have been notified of allegations relating to sexual misconduct made against you. If the allegations relate to ordinary misconduct, Report and Support may not be able to assist.

Further details on Report and Support can be found here: [Report + Support - Report + Support - University of Warwick](#)

I believe my academic freedom has been infringed. How do I raise my concerns?

If you believe your academic freedom has been infringed, you have the right under Ordinance 11 to request a review of your case in line with the provisions set out in the Ordinance.

You can request a review by the Academic Freedom Review Committee (AFRC) in either of the following situations:



- A disciplinary hearing has been convened to consider allegations of gross misconduct (which could lead to summary dismissal if the allegations are deemed to be founded).
- A disciplinary hearing has been convened to consider cumulative misconduct that could lead to dismissal.

If you believe your academic freedom has been infringed at this stage, you can submit a request to the Chair of Senate for the AFRC to review your case.

I do not believe that the appointed panel Chair is impartial, or I believe others involved in the process may have a conflict of interest. How do I share my concerns?

If you believe that the Chair of the Disciplinary Appeal Hearing has a conflict of interest, you should raise this with your link People Partner at the earliest opportunity, explaining what your concerns are and any proposals you wish to be considered. Please note that whilst your concerns will be listened to, the decisions relating to panel composition remain with the University.

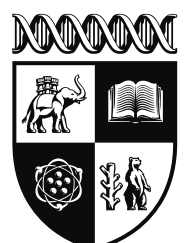
If you have concerns about other individual's involvement you can speak to your People Partner. If you do not feel able to do so, your alternative point of contact is the link Head of People Partnering and Advisory, and details of post holders can be found here: [People Team Contacts](#)

My union representative is unable to make the scheduled Disciplinary Appeal Hearing. What are my options?

Every effort should be made to attend the scheduled Hearing; however, we understand that existing commitments can make this difficult. Under the Disciplinary Policy, we are able to reschedule the Hearing once, within 7 calendar days. If your union representative cannot attend the rescheduled hearing, you may be asked to find alternative representation, or the matter may proceed for consideration in your absence.

I would like my colleague to support me at the Hearing, but I have been advised that they are not able to because of a perceived conflict of interest. What can I do?

You are able to be supported at the Hearing by a representative or colleague of your choice. However, there may be circumstances where you will be asked to choose an alternative colleague or representative in order to preserve the integrity of the Hearing – for example, where your representative has been asked to attend an Hearing as a witness, or if they have had to provide a witness statement as part of the investigation. If this happens, you are welcome to approach another representative to accompany you. If you are experiencing difficulties in identifying a colleague or representative to accompany you at the meeting, please contact your People Partner who can offer advice.



I would prefer the meeting to be held via MS Teams.

Please speak to your link People Partner to explain your preferences, or any reasonable adjustments that you would like to be considered. The Chair will consider such requests and accommodate them where they can.

I would like to know the outcome of the decision as soon as possible rather than waiting 7 calendar days.

Every effort will be made to communicate the outcome of the hearing to you at the earliest opportunity. However, in some cases, the Chair of the Hearing may have requested additional information/evidence to be sought, in order to aid their decision making. In these cases, there may be a delay in making a decision on any outcomes. If the panel expect the decision to take longer than 7 calendar days, you will be notified and the reasons for this will be explained to you.

Why can I not appeal against the decision of the Appeal Hearing?

The Appeal Hearing represents the third and final step in the Disciplinary process. Prior to this, there has been a robust investigation in to the allegation, followed by an assessment of evidence at a Disciplinary Hearing, during which you have also had the opportunity to input and provide evidence/mitigation for consideration. The Appeal Hearing is a final opportunity for another panel to consider the matters and draw a conclusion. It is not considered necessary or practical to add a further step into this process.

