

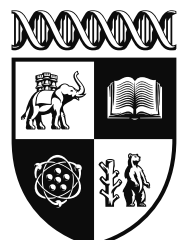
Sexual Misconduct Disciplinary Appeal Hearings: Guidance for individuals who have raised a complaint (Reporting Party)

Before the Appeal Hearing:

- Make sure you have received all the documents relating to the allegation(s) that will be discussed, including the Investigation Report, appendices, relevant policies, and the disciplinary outcome letter.
- Ensure that you have taken the time to read through the outcome letter, section 10.6 of the [Staff Sexual Misconduct and Sexual Harassment Policy](#) and sections 7 and 8 of the [Disciplinary Policy](#) so that you are clear as to which grounds of appeal your appeal falls within.
- You may wish to note down any important points in advance that you would like to raise during the hearing.
- Be aware that the Appeal Hearing is not a rehearing of the original Disciplinary Hearing, but instead a focused 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 Appeal 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 from
 - The People Team via the People Partner, details of whom will be included in correspondence you receive
 - EAP: [Employee Assistance Programme](#)
 - Trade Unions: [Trade Union Support with a Workplace Issue](#)
 - Your Liaison Officer from the Report and Support Team: [Report + Support through](#)



During the Hearing:

- The Chair of the Appeal Hearing will lead the meeting. They will introduce everyone, confirm everybody has had access to the right information and outline the hearing process. You will usually have been sent the agenda for the meeting in advance.
- 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 your companion could read out, or you may wish to speak/ask questions of the Investigating Officer and / or Panel Chair from the Disciplinary Hearing if the Chair of the Appeal Hearing has determined their attendance is required.
- 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 or panel members 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. You may request a break at any point if needed – 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.
- In order to support the decision-making process, the panel may seek further clarification from you, or other witnesses at this point if required.
- 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, after which the decision will also be confirmed in writing.
- The outcome letter will provide details of the rationale for the decision. There is no further right of appeal against this decision.
- The responding party will also be notified of the appeal hearing outcome.

