

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

### Before the Hearing:

- Make sure you have received all the documents relating to the allegation(s) that will be discussed, including the Investigation Report, appendices and relevant policies. You may find it helpful to review these documents before the Hearing when you feel able.
- If anything feels unclear, incorrect, or difficult to read, you can make notes to bring to the hearing.
- You may wish to note down any questions in advance that you would like to raise or ask during the hearing.
- If you have additional evidence that was not included in the investigation, you may share this with the People Partner in advance or bring it to 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.

The request must be made at least 7 calendar days (unless otherwise agreed) in advance of the hearing. 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 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 share your perspective. 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.
- The panel may ask questions for clarity. You may pause, ask for clarification, or take a moment before answering.
- The panel will take into account anything heard and will use all information as part of their deliberations.
- We recognise that the hearing 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.
- They will determine whether the allegation is upheld based on the **balance of probabilities**.
- 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 normally receive the outcome in writing within 7 calendar days, which will include the rationale for the decision and how to appeal the decision, if you wish to do so.
- The responding party will also receive the outcome and has the right to appeal.

