

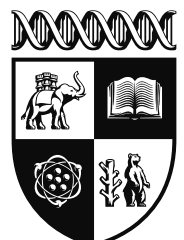
## Sexual Misconduct Disciplinary Hearings: Guidance for individuals subject to allegations

### Before the Hearing:

- Ensure that you are in receipt of all documentation relevant to the allegation that is to be discussed including the:
  - Investigation Report and appendices
  - Copies of relevant policies
- Ensure that you have taken the time to read through the investigation report and appendices.
- If there is anything you feel is incorrect, or you wish to discuss at the hearing, it is recommended that you make a note of this to raise at the hearing. You may wish to note down some questions in advance of the hearing to ensure that they are addressed during the hearing.
- Consider if there is additional evidence you wish to present, that you did not raise as part of the investigation. You are able to share this in advance of the hearing by sending this to your People Partner. They will ensure this is shared with panel members. Alternatively, you can bring any documents/statements/evidence with you 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
  - You will be assigned a People Partner for support, the details of whom will be included in correspondence you receive
  - EAP: [Employee Assistance Programme](#)
  - Trade Unions: [Trade Union Support with a Workplace Issue](#)
  - Report and Support: [Report + Support](#)



### **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 your companion could read out, or you may wish to speak/ask questions of the Investigating Officer.
- Remember, this is your opportunity to raise any mitigation 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 other members of the panel 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 hearing can be a stressful time. If you need to request an adjournment to have a break for a few minutes, or to confer with companion, 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 allegation is founded 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 normally 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, which would then be followed up in writing.
- The outcome letter will provide details of the rationale for the decision and will also include details of how to appeal the decision if you wish to do so in the event that a sanction has been issued.
- The reporting party will also be informed of the disciplinary hearing outcome and have a right to appeal.

