

Appendix B

Procedure for the hearing of appeals

The following arrangements will apply:

(Please refer to chart in **Appendix E**)

1. Appeals against a formal warning or penalty short of dismissal will be heard by a member of the University Executive who will chair the panel and an Institute Director or Head of Professional Services Department in the case of business support staff. Appeal panel members will not be from the same department as the appellant or have had any earlier involvement with this or any other case involving the appellant.
2. Appeals against dismissal will be heard by three persons drawn from a standing panel appointed by the Council of the University. The Vice-Chancellor or a Pro Vice-Chancellor will Chair the hearing sitting with either an Institute Director or Head of Professional Services Department and a lay member of Council. None of those hearing the appeal will be from the same department as the appellant or have had any earlier involvement with this or any other case involving the appellant.
3. The appeal hearing shall normally be convened within 7 working days. Human Resources will be responsible for making the arrangements for the hearing of the appeal and a representative from Human Resources will be present at the hearing to advise on procedure and to provide administrative support. The HR representative will not have been involved in the disciplinary hearing.
4. Where the facts on which the original decision was based are not in dispute, the appeal panel will base their considerations on the evidence provided at the disciplinary hearing. The only additional material that can be introduced is material that could not be provided at the time of the disciplinary hearing. This may involve the calling of additional witnesses with the consent of the Chair of the appeal panel. The Chair of the appeal panel will agree to consider additional information only if evidence has been provided that this information could not have been made available at the time of the hearing. This additional material can be provided by the employee or his/her representative.
5. The employee will be invited to the appeal meeting in writing by HR. The letter will include the nature of the reasons for appeal that are to be considered, provided with any documentation relevant to the issue and outlining the individual's rights under the procedure - including the right to be accompanied by a recognised Trade Union (TU) representative or a work colleague. The employee will normally be given 7 working days advance notice of the date of the meeting which should allow sufficient time to arrange to be represented at the hearing and to consult that person before the appeal hearing is held.

The employee will be given the opportunity in a meeting with the appeals panel to outline their reasons for appeal in full and to provide evidence. The employee will then withdraw and the Chair of the disciplinary panel will be invited to present the rationale

for disciplinary panel's decision. Once the cases have been presented, the chair will adjourn the meeting to enable the panel to make a determination.

6. The employee will be informed in writing of the arrangements for the appeal hearing and his/her rights under the procedure. This information will be given to the employee and his/her representative at least 10 working days prior to the appeal hearing the letter will include the names of any additional witnesses.
7. If, for good cause, the employee or the Chair of the original hearing is unable to attend the appeal hearing, it will be rescheduled to a date normally within 10 working days, or some other date mutually agreed, of the original appeal hearing of which he/she and his/her representative (if any) will be informed without delay.