

Employment Appeals Sub-Committee Hearing Procedure

1. The Chair of the Appeals Sub-Committee will invite the appellant and his/her trade union representative or work colleague and the Manager into the hearing room together.
2. The Chair will open the hearing by introducing all those present and to confirm the purpose of the hearing under the appropriate employment procedure.
3. The Chair will state the grounds for the appeal and ask the appellant whether these are correct. If there is a need for clarity, the Chair should ask the appellant to give further amplification on any points.
4. The appellant and/or his/her representative will present the appeal and call witnesses as necessary. Witnesses will appear one at a time and will only be present while they are giving evidence or being questioned.
5. The Manager may ask questions of the appellant and/or his/her representative and any witnesses. Members of the Appeals Sub-Committee and the advisors present may also ask questions relating to the evidence submitted to the hearing.
6. The appellant and/or his/her representative will be given the opportunity to re-examine witnesses, if this is necessary, but must not introduce any new evidence at this stage.
7. The Manager will present the Council's case including calling witnesses as necessary. Witnesses will appear one at a time and will only be present while they are giving evidence or being questioned.
8. The appellant and/or his/her representative may ask questions of the Manager and any witnesses. Members of the Appeals Sub-Committee and the advisors present may also ask questions relating to the evidence submitted to the hearing.
9. The Manager will be given the opportunity to re-examine his or her witnesses if this is necessary, but must not introduce any new evidence at this stage.
10. The Manager should then summarise the Council's case but should not include the introduction of any new evidence.
11. The appellant and/or his/her representative should then summarise the appellant's case but should not include the introduction of any new evidence.
12. Either party is entitled to request an adjournment at any stage in the proceedings to consider its position. The Chair will decide on such requests including the length of the adjournment.
13. All parties should withdraw from the room while the Appeals Sub-Committee considers the evidence and comes to a decision. The advisors and the Committee Administrator should remain in the room to give appropriate advice but will not be involved in the decision making.

14. If, as part of the deliberations, it is necessary to recall either party or any witnesses for further questioning then all parties must be present.
15. Where it is evident that further information is required before reaching a decision the appeal hearing should be adjourned with a view to being reconvened once the necessary information has been obtained.
16. Wherever possible, the decision should be communicated orally to both parties at the end of the hearing. If the Appeals Sub-Committee is likely to deliberate for some time this may not be possible and both parties will be informed of the decision as soon as practicable. This will be confirmed in writing within 5 working days of the hearing.