

EMPLOYMENT AND APPEALS COMMITTEE

APPEALS PANEL

GRIEVANCES

PROCEDURE FOR CONDUCTING APPEAL HEARINGS

The purpose of this procedure is to ensure that an appeal hearing is conducted in a fair and equitable way. The order of events may be altered with the agreement of the parties and the Panel if the circumstances of the case make it desirable.

As part of the introduction to the hearing the Panel shall decide whether any witnesses to be called by either party will be required to wait outside the room until called or whether they may be present throughout the hearing.

THE APPELLANT'S CASE

1. The Appellant (or representative) will put their case. If the Appellant is represented the Appellant shall not participate directly, other than as a witness, unless the Panel agrees. Witnesses may be called. (Note: notice of the intention to call witnesses should be given to the Democratic Services Manager at least five working days before the hearing.)
2. The Management representative may ask questions of the Appellant (or representative) and any witnesses.
3. The Panel members may ask questions of the Appellant (or representative) and any witnesses.

MANAGEMENT'S CASE

4. The Management representative will put their case. Witnesses may be called. (Note: notice of the intention to call witnesses should be given to the Democratic Services Manager at least five working days before the hearing.)
5. The Appellant (or representative) may ask questions of the Management representative and any witnesses.
6. The Panel members may ask questions of the Management representative and any witnesses.

FINAL QUESTIONS

7. The Panel members may ask final questions of any of the participants on any issues which have emerged during the hearing.

SUMMING UP

8. Both parties will have the opportunity to sum up if they wish. The Management representative will sum up first.

ADJOURNMENT FOR CONSIDERATION

9. The parties and any witnesses will withdraw to enable the Panel to consider its decision (or, if more convenient, the Panel will withdraw for this purpose). The Clerk to the Panel will remain with the Panel.
10. If the Panel wishes to clarify any point with one party, it will be done in the presence of the other party. If the Clerk advises the Panel on a legal point, this will be advised to both parties at the earliest convenient opportunity. The Panel may seek advice from the Human Resources officer concerning a human resources procedural or practice matter, in which case the nature of the advice will be advised to both parties at the earliest convenient opportunity.
11. The Panel's decision will be announced to both parties at the same time and confirmed in writing within five working days. If necessary, the decision may be reserved and communicated in writing to both parties when it is available. If this is likely to be later than five working days after the conclusion of the hearing, the reason for the delay will be advised to the parties within those five working days.