

# Appendix 2

## Disciplinary Hearing format

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1. The Disciplinary Hearing Officer will introduce those present and their roles, state the purpose and format of the Hearing, and check all parties have the same documentation.
2. The Disciplinary Hearing Officer will outline the allegation/s and ask the employee concerned whether they admit or deny the allegation/s. At the hearing the representative may put the employee's case, sum up the employee's case and respond on the employee's behalf to any view expressed at the hearing. However the employee must respond to questions asked of them.
3. If the employee admits the allegation/s, the purpose of the hearing will be for the Disciplinary Hearing Officer to determine whether or not there are any mitigating factors in the employee's favour, and to consider the appropriate penalty. However the Disciplinary Hearing Officer may decide that a full hearing is still required to properly decide the matter and what, if any, penalty should apply.
4. If the employee denies the allegations, the meeting must take the form of a full hearing of the evidence.
5. The Investigating Officer will present the management case including calling witnesses.
6. The employee or their representative may question the Investigating Officer and witnesses following the conclusion of the management case.
7. The Disciplinary Hearing Officer and their adviser/s may ask questions of the Investigating Officer and any witnesses.
8. The employee will be given the opportunity to present their case including calling any witnesses and making a statement of mitigation where appropriate.
9. The Investigating Officer may ask questions of the employee and any witnesses they call following the conclusion of the employee's case.
10. The Disciplinary Hearing Officer and their advisers may ask questions of the employee and any witnesses they call.
11. If new evidence comes to light during the course of the disciplinary, the Hearing Officer may adjourn the meeting to consider the new evidence and decide on its relevance. The other side will be given the opportunity to respond to the evidence if the Hearing Officer agrees to include it as part of the Hearing.

12. Both sides should be invited to make a closing statement of his / her case.
13. At the conclusion of the Hearing everyone except the Disciplinary Hearing Officer and their adviser/s will be asked to leave the meeting room.
14. The Disciplinary Hearing Officer will attempt to reach and communicate a decision on the day, or if adjourned will follow in writing as soon as practicable usually within 5 working days of the Disciplinary Hearing. Where there is no case to answer this will also be confirmed in writing.