

## Workflow process: Disciplinary Appeal Process



Employee



Line manager



TU Rep/Colleague

Any employee has the right to appeal against disciplinary action. A more senior level of manager than heard the original case will hear the appeal

Appeal must be lodged in writing within **21 days** following receipt of written notice of Disciplinary Action.



(or nominated deputy)

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HR Manager supporting Panel Chair introduces process to all parties. Allowing all present to introduce themselves, and confirming that the note taker will scribe general notes of proceedings (not verbatim)

**The Trust does not permit the recording of any investigation/disciplinary meetings without express permission from all parties.**

- ✓ Employee and/or their representative present their Appeal, supported by any witnesses they choose to call.
- ✓ Management representative present the Management Case, supported by any witnesses they choose to call.



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- ✓ Management representative has opportunity to question the Employee's Appeal, including any witnesses.
- ✓ Employee and/or their representative have opportunity to question the Management Case, including any witnesses.
- ✓ Panel Chair supported by HR Manager is given opportunity to question both parties in the case presented.



STEP 3	<div data-bbox="699 257 976 340" data-label="Image"> </div> <ul style="list-style-type: none"> <li>• Management representative present a summary of evidence <u>without</u> introducing any new evidence.</li> <li>• Employee and/or their representative present a summary of the grounds for Appeal <u>without</u> introducing any new evidence.</li> <li>• Panel consider merits of the Appeal, witness testimony and all evidence presented.</li> </ul>
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**Panel confirms outcome of Appeal – which marks the end of the internal procedure**



STEP 4	<div data-bbox="762 1113 941 1196" data-label="Image"> </div> <ul style="list-style-type: none"> <li>• Panel confirms outcome of Appeal in writing to employee within <b>5 working days</b>.</li> <li>• If outcome of case deems that poor performance was due to Capability.....follow policy/procedure</li> <li>• If out of case deems ill health as reason for behaviour/conduct then Sickness</li> </ul>
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Delays – protocols

Exclusion – examples of?