

## **AGENDA ITEM 4**

### **PROCEDURE FOR DISCIPLINARY/CAPABILITY APPEALS**

- 1.** The procedure and sequence of events will be explained by the Chair.
- 2.** The Head of Service or his/her representative shall put the case for the Council and may call witnesses.
- 3.** The appellant or the appellant's representative shall have the opportunity to ask questions of the Head of Service or his/her representative and witnesses.
- 4.** The panel shall have the opportunity to ask questions.
- 5.** The appellant or the appellant's representative shall put forward the case and call such witnesses as the appellant wishes.
- 6.** The Head of Service or his/her representative shall have the opportunity to ask questions of the appellant or the appellants representative and witnesses.
- 7.** The panel shall have the opportunity to ask questions.
- 8.** The Head of Service or his/her representative shall have the opportunity to sum up the case.
- 9.** The appellant or his/her representative shall have the opportunity to sum up the case.
- 10.** All parties other than the panel shall withdraw.
- 11.** The Panel shall consider the case and decide in the presence of the Clerk (Legal Services) and a representative from Human Resources whether the appeal is upheld or not and then confirm, reduce or delete the formal action taken.
- 12.** The decision of the panel will be communicated to both parties by the Chair.
- 13.** The decision of the panel will be confirmed in writing to both parties by Legal Services.
- 14.** Decisions of the panel are final.