



Disciplinary and Dismissal Procedure for Professional Services Employees (Grades 1- 5)

If you are reading a printed version of this document, you should check

<https://documents.manchester.ac.uk/DocuInfo.aspx?DocID=480>.

This reference number can then be used to identify each specific document, which can be helpful if there are name changes to ensure you have the most up to date version.

1. Introduction

1.1 The University procedures relating to disciplinary matters are designed to ensure fairness and equity in the treatment of individuals. The procedures provide a method for dealing with any issues of behaviour and conduct, as well as supporting employees reaching the necessary standards. Consistent application of a fair and equitable disciplinary procedure will help ensure fair treatment, minimise disagreements about disciplinary matters, and reduce the need for dismissals.

1.2 This procedure reflects the ACAS Code of Practice and has been drawn up in agreement with the recognised trade unions representing Professional Services employees.

2. Scope

2.1 This procedure applies to all Professional Services employees (Grades 1-5), excluding:

- members of staff serving probation periods where the dismissal relates to non-confirmation of appointment
- members of staff whose employment terminates on the grounds of redundancy.
- members of staff on a fixed term contract, provided that the dismissal relates to the expiry of the contract.

Separate arrangements apply in the above circumstances.

3. Roles and Responsibilities

3.1 It is the responsibility of managers to provide support and encouragement to members of staff in reaching the required standards of conduct and behaviour, and to promptly address issues fairly and consistently.

- 3.2 It is the responsibility of all members of staff to demonstrate appropriate conduct and behaviour and follow all relevant policies and procedures.

4. Principles

- 4.1 Nothing in this document should be interpreted as preventing a manager from informally discussing conduct and behaviours with their employees. Informal discussion is often a more suitable way of resolving problems than formal disciplinary procedures.
- 4.2 Where an informal approach is unsuccessful, or the allegations are so serious that an informal approach is inappropriate, it may be necessary to follow the formal disciplinary procedure.
- 4.3 Employees have the right to be represented by a trade union representative or be accompanied by a work colleague at any formal stages of the disciplinary process.
- 4.4 Formal disciplinary matters will normally be dealt with by the immediate manager of the employee. At later stages of the process, a more senior manager will normally handle procedures.
- 4.5 A copy of any formal warning will be provided to the employee's trade union representative or work colleague, with the employee's agreement.
- 4.6 Advice is available from the People and OD Directorate at all stages in the process.
- 4.7 Employees may appeal any warning issued under the formal procedure.
- 4.8 Reasonable notice will be provided of any investigation. A letter will be sent outlining the issue to be investigated or considered.
- 4.9 Trade Union officials are subject to normal disciplinary standards. No formal disciplinary action will be taken against any trade union official without the involvement of the full-time official of the relevant trade union.

- 4.10 If an employee has a disability that may have an impact on their ability to participate fully in this procedure, they should inform the relevant People and OD Partner who will discuss any appropriate reasonable adjustments required.
- 4.11 Cases of poor attendance due to sickness will be dealt with via the Absence Policy.
- 4.12 Cases of underperformance due to capability will be dealt with via the Capability Policy and Procedure.
- 4.13 Notwithstanding clause 4.12, management should consider and offer the necessary training and support throughout this procedure to assist the employee achieve the required improvements and standards in conduct or behaviour.

5 Resolving issues informally

- 5.1 Cases of minor misconduct are usually best dealt with by a manager informally, as quickly as possible. The manager should speak to the employee in private, advise them of the problem and what they are required to do to rectify it. They should provide the employee with the opportunity to respond to the concern(s) raised and discuss what to do next. Feedback should be constructive with the emphasis on an immediate improvement.
- 5.2 Where improvement is required, the manager will ensure that the employee understands what needs to be done, how their conduct or behaviour will be reviewed and over what period. The manager will also confirm the consequences of future issues of poor conduct or behaviour.
- 5.3 The manager will write to the employee summarizing the discussions held and will detail in this correspondence the specific improvements relating to their conduct or behaviour required and any reasonable training/coaching/support offered to assist the employee in achieving such improvements. The correspondence will also advise what the potential outcome could be if the required improvements do not occur within the timescale agreed. This will not be regarded as action taken under Section 6 - "Formal disciplinary Matters".
- 5.4 This correspondence will not be held for any longer than 12 months by the manager from the date it was issued to the employee.

5.5 If the necessary improvement does not take place, the matter will be dealt with under the formal disciplinary procedure.

5.6 Whilst it is not a statutory right, employees may on occasions request a union representative or work colleague to be present at an informal meeting and this may be accommodated, however, such accommodation should not unreasonably delay any informal conversations occurring between a manager and employee or inhibit a manager from providing feedback in a timely manner or prevent normal day to day interactions between a manager and employee.

6 Formal disciplinary matters (other than gross misconduct)

6.1 Employees have a responsibility to achieve satisfactory levels of conduct and behaviour, and the University has a responsibility to provide support and encouragement to the employee to enable them to achieve this. Management should consider whether any shortfall is due to unreasonable expectations, poor instruction, or inadequate training.

6.2 Employees should be made fully aware of the standards required, the timescale on which their behaviour and/or conduct will be monitored and the consequences of any failure to meet the required standards.

6.3 In cases of unsatisfactory conduct where, despite effort from the employee and encouragement and assistance from the manager, or when conduct and/or behaviour are still a concern following action taken under section 5 and the employee is unable to reach the required standard of conduct or behaviour expected of them, then the Disciplinary Procedure as set out in this policy will apply as a last resort following these efforts. The exception to this will be when there has been an incident of serious negligence or misconduct.

7 Investigation

7.1 A full investigation will be carried out in all cases. The purpose of an investigation is to determine whether or not there is a disciplinary case to answer. Investigations will normally be carried out by the employee's manager, unless the circumstances require an independent investigating manager to be appointed (for example, the manager is a witness to any alleged misconduct). A member of the People and OD Directorate may provide advice or attend meetings as required. The employee will be notified that an investigation is taking place and will also be notified of the outcome. Employees are expected to cooperate fully with any investigation.

- 7.2 In carrying out the investigation the manager should obtain as much relevant information as possible on what happened, where and when; interview any complainant and any witnesses and/or obtain written statements. These statements should clearly indicate who has provided the statement and be dated.
- 7.3 On occasions a witness may wish to remain anonymous (for example, because they are fearful of the potential consequences of giving evidence). Where a witness makes such a request, the investigating manager will engage with them about the reasons for their request, provide reassurance and seek to resolve any concerns they have. If they still wish to remain anonymous, the investigating manager will determine (having regard to their reasons for wishing to remain anonymous, the relevance and significance of their evidence and the need to ensure a fair process for the employee) whether their evidence should be accepted.
- 7.4 If, following the investigation the investigating manager decides that there is a disciplinary case to answer, the employee will be asked to attend a disciplinary hearing.
- 7.5 Where an employee believes that they have a good reason for objecting to a particular manager conducting a disciplinary investigation, they may raise an objection on the basis that they believe that person's involvement will prejudice the conduct of the investigation. In this event the employee should write to the head of the organisational unit as soon as possible, setting out their reasons. If the head of the organisational unit accepts the reasons for the objection, then an alternative investigator would conduct the investigation. If the head of the organisational unit does not accept the reasons, then they will inform the employee and the investigation will continue as planned. This decision is final.

8. Disciplinary Hearing

- 8.1 The disciplinary hearing will be chaired by an independent disciplinary manager who has had no prior involvement in the case. The employee will be written to invite them to attend a disciplinary hearing and will be given at least 10 working days notice of hearing. The employee will be informed in writing that they have the right to have trade union representation or to be accompanied by a work colleague. They should be reminded that they have the right to representation if they are unrepresented at the hearing and they should expressly state that they are content to continue without representation. It is the employees responsibility to notify their chosen companion of the arrangements and to provide them with any documentation they may require to prepare for the

hearing.

- 8.2 The letter will be accompanied by a copy of this procedure and, where possible, details of witnesses who will be called at the hearing and/or details of statements they have submitted as part of any investigation into the complaint. Hearings will be scheduled so that the representative and witnesses can attend. However, where there is an inordinate delay because a particular representative is unavailable, the employee will be expected to arrange an alternative.
- 8.3 If, following the hearing, the disciplinary manager decides that a **verbal warning** is necessary this will be given and a record kept. The employee should be informed that this is the first stage of the procedure and, at the same time, be advised of their right of appeal.
- 8.4 Should the conduct of the employee continue to be unsatisfactory, irrespective of whether this is in relation to a new allegation or a repeat occurrence of unacceptable behaviour or conduct, or if the matter is a more serious one, the employee's line manager will inform the head of the organisational unit or their representative. Following an investigation of the circumstances as outlined in 7.1, the employee may be asked to attend a disciplinary hearing to which they may be accompanied if they wish. If the head of the organisational unit is not satisfied by the employee's explanation they will, after consulting with a member of the People and OD Directorate, issue a **written warning** setting out the information provided below. The employee will, at the same time, be advised of their right of appeal.
- 8.5 Should the employee fail to comply with the written warning, after an appropriate investigation they will again be interviewed by their head of organisational unit (or their representative) and given the opportunity to explain the conduct, accompanied if they wish. A member of the People and OD Directorate will be present at this meeting and will have responsibility for advising the head of the organisational unit (or their representative) on relevant matters (for example, employment law and correct and consistent application of University policy and procedure). If the explanation provided by the employee is unsatisfactory, the head of the organisational unit will issue a **final written warning** recording the circumstances above and explaining that any recurrence of the offence may lead to dismissal. The employee will, at the same time, be advised of their right of appeal.
- 8.6 If after a final written warning has been issued the conduct of the employee still does not appear to improve, they will be given a final opportunity to explain themselves, after an appropriate investigation, on the same basis as above. If the explanation is found to be unsatisfactory, a

member of the People and OD Directorate will notify the employee in writing of the disciplinary action that will be taken, which will normally be **dismissal** with pay in lieu of notice and, at the same time, advise them of their right of appeal.

- 8.7 After investigating and considering a case of serious misconduct or negligence the University may, if the gravity of the offence justifies it, proceed straight to the written warning or final written warning stage of the procedure according to the circumstances. In addition, a verbal warning may in certain circumstances be issued without any previous informal discussion.
- 8.8 If any evidence is presented in any disciplinary hearing based on statements made by other employees as part of the investigation, then those employees will normally be made available at any disciplinary hearing in order to be questioned on that evidence.
- 8.9 If an anonymous witness statement has been submitted as evidence, the disciplinary manager will determine (having regard to the information sought by the investigating manager referenced at section 7.3 above and, if they consider it appropriate, by making further enquiries with that witness) what weight should be attached to that witness' evidence.
- 8.10 Where named witnesses do not attend to be questioned on their evidence, no decision will normally be taken which predominately relies upon their evidence. Employees may call witnesses who have not participated or submitted statements as part of the investigation. If they wish to do so, it is their responsibility to arrange the attendance of these witnesses and to provide notice to the head of the organisational unit of the attendance of these witnesses at least three working days in advance of the hearing.
- 8.11 Any employee subject to disciplinary proceedings will be given a full opportunity to respond to any complaints at each stage and they and their representative will normally be afforded the opportunity to question any witness or manager involved in any investigation of the complaint. (Note: In any case where an employee and their representative are not afforded such opportunity, no decision will normally be taken which relies upon the evidence of that witness or manager.) The manager presenting the complaint will also be afforded the opportunity to question the employee and the witnesses.

9 Other disciplinary sanctions

- 9.1 At all stages of the disciplinary procedure the University reserves the right to take other additional action in certain appropriate circumstances. This could include a deduction of pay in cases of

poor timekeeping and unauthorised absence, withholding of a salary increment, or removal of a discretionary increment. This list is not intended to be exhaustive.

10 Expiry of warnings

- 10.1 Written and final warnings issued under this procedure will be disregarded after a period of 12 months from the date of issue. Verbal warnings will be disregarded after a period of six months from the date of issue.
- 10.2 In some circumstances, where a serious breach of discipline has occurred, an **indefinite final written warning** may be issued, after consultation with the relevant trade union if the employee is a trade union member. Such warning will state that any future repetition of the act of misconduct for which the employee has been disciplined will result in dismissal. Employees may ask the People and OD Director to review the length and status of an indefinite final written warning after a minimum period of two years from the date of issue of the warning.

11 Gross Misconduct

- 11.1 The following represent examples of misconduct that are likely to be considered as constituting gross misconduct: an act or threat of an act of violence, theft, fraud, misuse of University property, serious misuse of the internet, email, social media or telephone, incapacity due to alcohol intoxication or use of non-prescription drugs, repeated failure to carry out a reasonable instruction, bringing the University into serious disrepute, serious harassment or bullying, certain criminal action. This is not intended to represent an exhaustive list.
- 11.2 Should the matter potentially amount to gross misconduct, the head of the organisational unit or their representative, having consulted a member of the People and OD Directorate, will consider whether it is appropriate to suspend the employee immediately on full pay while the circumstances are investigated by the University. The employee will be told the reasons for any suspension and this will be confirmed in writing by a member of People and OD Directorate, by recorded delivery and/or email within two working days.
- 11.3 Following the suspension, the matter will be investigated by an independent investigator (nominated by the head of the organisational unit), who will be advised as appropriate by a member of the People and OD Directorate. If the investigating manager concludes that the investigation has shown that there is a disciplinary case to answer for apparent gross misconduct,

then the employee will be required to attend a disciplinary hearing. The disciplinary hearing will be held in accordance with this policy and will be conducted as soon as possible taking into account scale of the investigation and availability of the parties involved. The employee will be kept informed of any delay.

- 11.4 The disciplinary hearing will be chaired by the head of the organisational unit (or their nominated representative). A member of the People and OD Directorate will be present at this meeting and will have responsibility for advising the Chair on relevant matters (for example, employment law and correct and consistent application of University policy and procedure). A letter will be sent to the employee by a member of the People and OD Directorate providing at least ten working days' notice of the hearing summarising the nature of the complaints. This will normally be accompanied by relevant witness statements, details of witnesses who will be called at the hearing and/or details of statements they have submitted as part of the investigation. The employee will also be asked to notify names of witnesses they wish to call at the hearing by no later than three working days before the date of the hearing. Where any witness requested by the employee has not submitted a statement as part of the investigation (i.e., has not participated and submitted a statement as part of the University's investigation), it will be their responsibility to arrange their attendance at the hearing.
- 11.5 Hearings will be scheduled so that the employee's representative and witnesses can attend. However, where there is an excessive delay because a particular representative is unavailable, the employee will be required to arrange an alternative.
- 11.6 At the hearing the person chairing the proceedings will ask the investigator to set out details of the complaint and the investigation undertaken. The Chair will question the investigator about the complaints and the investigation, and the employee and their representative will be given the same opportunity. Witnesses may be called to provide clarification and so that they can be questioned by the Chair. The employee and their representative will also be given the opportunity to question the witnesses called.
- 11.7 The employee and their representative will then be given the opportunity to respond to the complaints and to call any witnesses they have arranged. The Chair will question the employee and their witnesses and the investigator will also be afforded the same opportunity.
- 11.8 If an anonymous witness statement has been submitted as evidence, the disciplinary manager will determine (having regard to the information sought by the investigating manager referenced at

section 7.3 above and, if they consider it appropriate, by making further enquiries with that witness) what weight should be attached to that witness' evidence.

- 11.9 After all evidence has been presented and the process described above exhausted, the hearing will be adjourned in order that the Chair can consider their decision. Where practicable, the hearing will be reconvened the same day in order that the Chair can communicate the decision. Alternatively, the decision will be communicated in writing at the earliest opportunity.
- 11.10 In the event that an employee fails to appear at the hearing without prior notification or without good reason then the hearing will be rearranged. In the event that employee is unable to attend the new hearing date and submits substantial reasons to the Chair in advance, then the hearing will be rearranged a further time. Alternatively, the employee may request that the hearing proceeds in their absence with the representative acting on their behalf. If the employee fails to attend a rearranged hearing, it will proceed in their absence regardless of the reason. However, should the employee subsequently produce a substantial and significant reason for non-attendance then a re-hearing will be arranged with a different Chair. In these circumstances the employee will be required to produce evidence of the reason. The original proceedings would be declared null and void.
- 11.11 The availability of the employee's representative will be taken into account in arranging a date for the hearing. If the representative fails to appear at the hearing or withdraws their availability, then the hearing will again be rearranged. Should they fail to appear or withdraw their availability for the second date, then the Chair will proceed in considering the case in their absence. In these circumstances it will be the employee's decision whether or not they wish to appear at the hearing and make their own case in the absence of a representative. Alternatively, the employee can arrange to be accompanied by a different representative.
- 11.12 Following the hearing, a member of the People and OD Directorate will inform the employee of the outcome of the hearing in writing. Whether the decision is to **dismiss** the employee or to take some other disciplinary action, the reasons will be provided. The employee will also be advised of their right of appeal. Other possible outcomes are the issuing of a warning in accordance with this policy or no action. In the event that the employee is not dismissed, they will be required to return to work at the next available opportunity.
- 11.13 In cases where, following a full investigation and disciplinary hearing, an employee is found to have committed an act of gross misconduct the University would normally dismiss summarily (i.e. without

notice and without payment in lieu of notice) and such a dismissal would be effective from the date of the letter of dismissal.

11.14 If any act on the part of an individual is considered to be of a criminal nature, then the University will report it to the police whilst continuing its own investigation into the matter.

12 Criminal convictions for activities outside of the University

12.1 If an employee is convicted of criminal behaviour in respect of conduct that occurs outside of the University, then it reserves the right to deal with this matter under the terms of the Disciplinary Procedure and if appropriate, to dismiss the employee for 'some other substantial reason.' In this event the employee has the right of appeal. The University may also judge that the employee has 'frustrated' their contract of employment if they are the subject of a custodial sentence. In determining what course of action is appropriate, the University will consider whether the behaviour brings it into disrepute, the nature of the misconduct and whether it has any bearing on their job, the length of any custodial sentence and the need to find a permanent rather than a temporary replacement.

13 Appeals against formal disciplinary warnings

13.1 An employee who wishes to appeal against any formal disciplinary warning should raise their appeal with the People and OD Director within ten working days of the receipt of the warning in writing. A member of the People and OD Directorate who has not previously been involved in the case will then normally arrange the appeal within ten working days. In the case of appeals against verbal or written warnings, the appeal will be heard by an appropriate senior manager with no previous involvement in the case. A member of the People and OD Directorate should also be present at the appeal hearing. The format of the hearing will involve the manager/head of the organisational unit setting out the basis on which they reached a decision to take action followed by the employee and/or their representative setting out the basis for the appeal. The Chair will also put questions to either party and equally give them the opportunity to question each other on their submission. Both parties will also be given the opportunity to summarise their respective cases. The employee and their representative will be given the opportunity to summarise their case last.

- 13.2 The Chair's role is to decide whether the disciplinary action was reasonable in the circumstances. It is not the Chair's role to re-hear the case and, as such, witnesses will not be called again and no new or additional evidence will be considered that was not available at the original hearing.
- 13.3 The Chair's decision represents the final channel of appeal for the individual. The possible range of decisions is as follows:
- A. Uphold the appeal and withdraw the disciplinary warning on the basis that the manager's decision was not reasonable in the circumstances. The Chair can decide that no form of disciplinary action was appropriate or replace the penalty with a lesser disciplinary penalty.
 - B. Uphold the original decision.
 - C. If the Chair judges that there were breaches of procedure associated with the original disciplinary proceedings, then they may order the case to be re-heard by an appropriate manager who has had no previous involvement with the case. (This does not prevent the employee from submitting a further appeal if action is still taken after a second hearing.)
 - D. If the Chair judges that new evidence is now available that for good reason was unavailable at the time of the original hearing and which may have had some bearing on the outcome, a re-hearing can be ordered. Equally, if relevant evidence was available at the time of the original hearing, but was not considered, a re-hearing can also be ordered.
- 13.4 The Chair will communicate their decision to the employee on the day of the appeal or, if that is not possible, as soon as reasonably possible, and ideally by the next working day. The decision and the reasons for it will be provided in writing.

14. Appeals against Dismissal

14.1 Making an Appeal

- 14.1.1 An employee who wishes to appeal against dismissal must submit notice of appeal in writing to the People and OD Director within ten working days of receiving the letter of dismissal.
- 14.1.2 The letter should contain as much detail as possible as to the reason for the appeal. Employees can appeal on two grounds:
- procedure (that the procedure followed was incorrect and/or
 - substance (that the decision was not reasonable in the circumstances)

14.1.3 An appeal hearing will not be scheduled until the reason for the appeal and the necessary detail are received from the appellant. If there is a good reason why the time limit for submitting an appeal should be extended then the employee should raise this with a member of the People and OD Directorate.

14.2 Constitution of Appeals Panel

14.2.1 A panel will be convened as soon as possible to hear the appeal. The composition of the Panel will be approved by the Chairman of the Board of Governors in conjunction with the Chief Operating Officer, Registrar and Secretary.

14.2.2 A member of People and OD Directorate with no previous involvement with the case will sit on the Panel to advise it on any relevant University procedures

14.2.2 At least ten working days notice of date of the appeal hearing will be provided to the employee.

14.3 Submission of papers

14.3.1 The relevant documents relating to the dismissal and appeal will be prepared and distributed by a member of the People and OD Directorate at least one week before the Panel is due to meet to consider the appeal.

14.3.2 Copies will be provided to members of the Panel, the appellant and the TU representative or colleague.

14.4 Meeting of the Panel and consideration of the case

14.4.1 The Panel will invite the manager who made the decision to dismiss to appear at the hearing with the People and OD representative from that hearing. The employee and their representative will also be invited to the hearing and to set out their grounds of appeal in person.

14.4.2 The usual format of the hearing will involve the person who made the decision to dismiss setting out the basis on which they made their decision, followed by the appellant or their representative setting out the basis for their appeal. Panel members may put questions to both parties and give them the opportunity to question each other. Both parties will also be given the opportunity to

summarise their respective cases with the appellant or their representative going last.

14.4.3 The Panel's role is to decide whether the action in dismissing the employee was a reasonable decision taking into account all the circumstances. It is not the Panel's role to re-hear the case.

14.4.4 None of the witnesses called at the original hearing will be called again and no new or additional evidence will be considered by the Panel that was not available at the original hearing. If new evidence or witnesses have come to light since the dismissal, it may be necessary to order a re-hearing by a new manager.

14.5 The Panel's decision

14.5.1 The Panel's decision is the final opportunity of appeal for the appellant. The panel may make one of the following decisions:

i. Uphold the appeal and reinstate the employee. In these circumstances the Panel can decide that no form of disciplinary action was appropriate or replace the penalty of dismissal with a lesser disciplinary penalty.

ii. Uphold the original decision to dismiss

iii. If the Panel concludes there were breaches of procedure within the original disciplinary process, order the case to be re-heard by a senior employee nominated by the Registrar and Secretary who has had no previous involvement with the case. In this event the employee will be regarded as being suspended on full pay from the date of the original hearing until the second hearing.

iiii. If the Panel decides that new evidence is now available that for good reason was not available at the original hearing and which may have had an impact on the outcome, a re-hearing can be required. This can also apply if relevant evidence was available at the time of the original hearing but was not considered.

14.6 Notification of the Panel's decision

14.6.1 The People and OD representative (on behalf of the Chair of the Appeal Panel) will notify the decision to the employee as soon as possible - normally within five working days. The former employees head of organisational unit will be notified at the same time. Where the decision is to uphold the appeal and reinstate the member of staff to the University's employment, then the employee will be advised when to return to work. Immediate action will also be taken to reinstate salary payment for the period since the date of dismissal. The employee will be

responsible for informing their representative of the outcome unless they provide explicit consent for their representative to be informed by the People and OD representative at the hearing.

- 14.6.2** The People and OD representative (on behalf of the Chair of the Appeal Panel) will also prepare a short report on the Panel's deliberations and will send it to the employee as soon as possible - normally within two weeks of the hearing. A copy will also be submitted to the Chief Operating Officer, Registrar & Secretary for information. The employee will be responsible for sending this to their representative unless they provide explicit consent at the hearing.

14.7 Failure of the employee/ representative to appear at the hearing

- 14.7.1 If the employee fails to attend the appeal hearing without prior notification or without a good reason, then the Panel will consider the case in their absence. If the employee is unable to attend the hearing and submits substantial reasons to the Registrar and Secretary in advance, then the hearing will be rearranged. If the employee fails to appear on a second occasion without prior notification, then the hearing will proceed in their absence regardless of the reason.

However, should the employee subsequently produce a substantial and significant reason for non-attendance a re-hearing will be arranged with a different Chair. In these circumstances the employee will be required to produce justifiable evidence of the reason. The original proceedings would be declared null and void.

- 14.7.2 If the employee does provide prior notification to the Chief Operating Officer, Registrar and Secretary on the second occasion, the Panel will judge whether the grounds for non-attendance are reasonable before deciding whether to proceed in their absence or to rearrange the hearing for a final time.

- 14.7.3 The availability of the representative will be taken into account when arranging a date for the appeal hearing. If the representative fails to attend the hearing or is unable to attend the hearing will be rearranged. Should they fail to appear or withdraw their availability for the second date, then the Panel will proceed in considering the case in their absence. In these circumstances it will be the employees decision whether or not they wishes to appear at the hearing and make their own case in the absence of a representative.

15 Disclosure

- 15.1 On request an employee has the right to see any information held on file relating to their case. Such requests should be submitted in writing to the People and OD Directorate.

Document control box	
Policy / Procedure title:	Disciplinary and Dismissal Procedure for Professional Services Employees (Grades 1 – 5)
Date updated:	December 2022
Approving body:	PRC
Version:	5
Supersedes:	Disciplinary & Dismissal Procedure for Support Staff May 2011, updated October 2011
Previous review dates:	Oct 2011
Next review date:	2025
Equality impact outcome:	Policy Manager to finalise with EDI
Related policies:	Probationary Arrangements for Professional Services Grades 1 - 5
Related guidance and or codes of practice:	Managers Essential Guidance
Policy owner:	People and OD Director
Lead contact:	People and OD Policy Manager