

## Part 7: Appeals Panel Procedure Rules

The Appeals Panel hearing shall follow the Procedure Rules as set out below:

- An appeal will be initiated if required by the Terms of Reference of the Panel:
  - To hear and determine any appeals by or grievance appeals against the Head of Paid Service (Chief Executive) made by any member of the senior management team.
  - To hear and determine any appeals brought by the Chief Executive, Monitoring Officer or Section 151 Finance Officer against any disciplinary sanctions imposed short of dismissal.
  - To hear and determine any appeals against any disciplinary sanctions imposed on Executive Directors.
- All reasonable efforts will be made to arrange a convenient date and time for the appeal within the prescribed timescales. The failure of a party to attend an appeal shall not prevent the appeal from being considered at the Appeal Panel's discretion.
- The Panel will comprise three members of the appointed membership of the Appeals Panel.
- The appellant and respondent will provide any documentation they wish the Panel to consider prior to the deadline for agenda publication as notified by the Democratic and Elections Team / HR.
- Supplementary documentation produced after this time will only be admitted at the discretion of the Panel and with agreement of all parties to the appeal.
- Both the appellant and the respondent may be accompanied by a representative who may assist or speak on behalf of them at the appeal.
- Before the meeting both parties will wait outside the meeting room (virtual meeting).
- The Democratic Support Officer, the HR advisor and Legal advisor (if required) (who will all previously not have been involved with the appeal at a previous stage) will brief the Panel. The advisors to the Panel may at any point during the appeal seek clarification on any issue with regard to the appeal and will provide procedural guidance to the Panel.
- Both parties to the appeal will be admitted to the room (virtual Meeting).
- The Chair will introduce those present.
- The procedure will be outlined by the Democratic Support Officer and questions on the procedure will be invited.
- The appellant and their representative will make their case.
- The appellant may be questioned by the respondent and then the Panel

- The respondent will make their case.
- The respondent may be questioned by the appellant and then the Panel.
- In making their case witnesses may be called by the appellant and/or the respondent.
  - Witnesses must be notified to the Democratic and Elections Team prior to appeals papers being served.
  - Witnesses may be questioned by all parties and then the panel.
  - Witnesses will only be admitted to the appeal for the duration of their evidence.
- The respondent will have an opportunity to sum up.
- The appellant will have an opportunity to sum up.
- Both parties will be asked to leave.
- The Panel will then decide whether to ask the parties to wait whilst a decision is reached or confirm that a letter will be sent confirming the outcome.
- The Committee will make their decision.
- The Panel may readmit both parties to give their decision.
- A formal letter will be sent to all parties confirming the decision of the Panel, as well as confirming any further rights of appeal. A copy will be retained by the Head of Paid Service.