

Pabulum Disciplinary Policy and Procedure



Disciplinary Policy and Procedure

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1. What is the Company's Disciplinary Policy?

This document encompasses both policy and procedure but will be commonly referred to as the Disciplinary Procedure. Further guidance for managers is contained within the accompanying toolkit. This procedure does not form part of any colleague's contract of employment and may be amended at any time.

The Disciplinary Procedure is not viewed primarily as a means of imposing sanctions but is intended to encourage and improve any colleague whose standard of work or conduct is unsatisfactory.

This procedure applies to all colleagues regardless of length of service. It does not apply to agency workers or self-employed contractors.

2. What are the Company's Disciplinary Rules?

The Disciplinary Rules are not an exclusive or exhaustive list but produced for guidance only. A more detailed information is available from either your Operations Manager or the People Team; the following is a summary of the rules:

Conduct - Colleagues are expected to conduct themselves at all times in a manner which will maintain public confidence in both their integrity and the service provided by the Company.

Working Arrangements & Procedures - Colleagues shall comply with agreed arrangements relating to their hours of work, breaks, requests for leave and notification of sickness absence.

Confidentiality & Security – Colleagues should ensure they observe this at all times.

Personal Use and the Misuse of the Company's Computer Facilities - including E-mail and Internet is forbidden, without prior consent.

Care of Equipment & Materials - Colleagues are required to take care of equipment and materials etc., issued to them and any other property belonging to the Company. Any loss, defect or damage must be reported to their Line Manager.

Alcohol & Drugs - Colleagues shall not, through the misuse of alcoholic drink or drugs, render themselves unfit for duty. Alcoholic drink is strictly forbidden in all areas, except in particular circumstances, which are to be agreed in advance with the relevant Line Manager.

Health & Safety - Health & Safety is an integral part of the management of the Company and all rules and procedures relating to Health & Safety must be strictly adhered to. Colleagues' attention is specifically drawn to the Company's Policy.

Documentation/Communication - On any matter for which a colleague is accountable he/she shall take all reasonable steps to ensure that the required information is complete, accurate and made available at the proper time. This requirement applies to all records and documentation including Manager Self Service, payroll, expenses claim forms, car allowance claims, returns of ticket sales, driver record books, delivery tickets, invoices etc. and all paperwork required.

Off-Duty Hours - Off-duty hours are a colleague's personal concern, but they shall not subordinate their duty to their own private interests or put themselves in a position whereby their duty and private interests conflict or engage in activities or employment which could conflict with or react detrimentally to the Company's interests or in any way weaken public confidence in the

conduct of the business. This includes not using company property or the company brand for personal gain.

Recording of meetings or conversations – the electronic recording of meetings or conversations is strictly forbidden without prior permission.

Accessory to a Disciplinary Offence - Colleagues shall not knowingly be an accessory to, nor condone a disciplinary offence.

Conditions of Service - Colleagues are bound by the terms and conditions within their Contract of Employment.

Equal Opportunities and Diversity Policies - Colleagues are expected to observe the Equal Opportunities and Diversity Policies at all times.

3. Purpose and Aims

Pabulum is committed to providing 'as many children and students as possible a hot healthy, nutritious meal and to deliver excellent customer service', and therefore will take the necessary action where a colleague's conduct or behaviour falls short of the expected standards. In some circumstances, the Company may be able to manage the issue informally and agree the required improvements expected to address the issue. However, if the matter is more serious or continuing, it will need to be formally addressed following the formal procedure set out in this document. Whatever the circumstances, the over-riding aim is that colleagues are treated fairly and consistently.

4. Responsibilities

4.1 Colleagues

All colleagues are responsible for ensuring they are familiar with this procedure, and that they adhere to accepted standards of conduct and behaviour. Examples of what constitutes misconduct or gross misconduct can be found in Appendix A.

4.2 Managers

Managers are responsible for ensuring that all colleagues have access to a copy of the Disciplinary Procedure and are aware of rules and expected standards. Managers should reinforce expected standards in the workplace, leading by example and using early and informal intervention for any minor breaches of discipline. In all cases involving formal disciplinary action, managers should read and follow this procedure and its accompanying guidance documents, seeking advice as necessary.

4.3 People Team

The People Team are responsible for the provision of professional advice and support to enable the operation of this procedure in a fair, consistent and timely manner, and to help to facilitate early and effective resolution of conduct issues where possible.

5. General Principles

If a colleague is subject to disciplinary action under the Disciplinary Procedure, the following principles will apply:

- Each stage of the disciplinary procedure will be taken without unreasonable delay. The timing and location of any meetings will be reasonable.
- Colleagues should make every effort to attend disciplinary and appeal meetings. If they are unable to attend at the time specified, they should inform the manager immediately and alternative arrangements may be considered.
- No disciplinary sanction will be applied until a fair and objective investigation has taken place.
- If the matter is complex, if it requires detailed or wide-ranging investigation, or if the relevant personnel are unavailable, it may not be possible to meet the timescales specified in the procedure set out below. In these circumstances, all parties will be informed of the reasons for any delay and the revised timetable communicated.

This Disciplinary Procedure will not normally be applicable where colleagues are unable to achieve targets or objectives due to capability issues, including performance and ill-health. The approach to managing such cases is set out in the Company's policies relating to Sickness Absence and Capability.

However, at times the reasons for conduct or performance concerns are not immediately apparent, so action initiated under one policy may move into an appropriate stage of an alternative policy as the facts and circumstances emerge.

Other exclusions from this Procedure include probationary colleagues, and dismissals relating to reasons other than conduct, for example redundancy and the non-renewal of fixed-term contracts. This Procedure only applies to directly employed colleagues and does not apply to other categories of worker, such as agency colleagues, volunteers, or self-employed contractors or sub-contractors.

6. Mediation

Managers should consider mediation at all stages of the procedure, including the informal stages. Whilst not appropriate in cases of serious misconduct, mediation can be useful in certain circumstances, such as where there is a relationship breakdown or communication problems. If it is felt that mediation might be appropriate, this should be discussed with an appropriate member of the People Team.

7. Stages of Disciplinary Action

The following stages are outlined in summary. For more detailed information on how to implement these procedural stages, managers should refer to the Managers' Guide and accompanying toolkit documents. In instances where colleagues involved in the process are required to have a more detailed understanding of procedural requirements, further information will be provided to them by the manager involved.

7.1 Informal Stage

In cases of minor misconduct, managers will make every effort to resolve the matter informally before taking formal disciplinary action. In serious incidents or repeated occurrences and/or failure to improve using the informal stage, the formal procedure will be followed and implemented. During an informal meeting, the manager will check with the colleague that they understand what is required of them, how they will be monitored and reviewed and over what period of time. A review date will be agreed with the colleague and if no improvement is shown, the formal procedure may be initiated. Colleagues should be aware that there is no right of representation or appeal under this informal stage of the procedure.

7.2 Formal Stage

7.2.1 Investigation

No formal disciplinary action will be taken without a prompt and appropriate investigation into the circumstances. It is essential that investigations are carried out fairly, thoroughly and without unreasonable delay. They should be unbiased and where possible, should include evidence that supports both the colleague's case as well as the evidence against them.

- The aim of an investigation is to ascertain the facts of the case in order to decide what action needs to be taken.
- Investigatory meetings can be held without the provision of notice.
- Interviewees should be advised that the information they give could be used in a Disciplinary Hearing should it be decided that one should be held.
- Full notes of any investigation meeting will be taken.
- The colleague who is subject to the allegation must be informed of the outcome of the investigation (in writing) i.e., no further action, informal action or a formal disciplinary hearing will take place. In determining who should carry out an investigation, this would normally be the colleague's line manager, however it may be more appropriate if the investigation is undertaken by someone else. In this case an Investigating Officer will be appointed to undertake the investigation. Upon receipt of the investigation report completed by the Investigating Officer, the line manager (or their manager if appropriate) must decide if, on the face of it, there is a case to be answered.

At this stage, the appropriateness of informal action should be considered again. Where it is decided there is a case to be heard and formal action may be necessary, a Disciplinary Hearing will be arranged.

7.2.2 Suspension

The Company reserves the right to suspend colleagues from work during an investigation into any disciplinary matter that they may be involved in. This is not an automatic act and will be given careful consideration.

Any period of suspension will be reviewed at regular intervals by the Manager and the People Team to ensure it remains appropriate. Suspension in these circumstances is a neutral act, not a disciplinary penalty, and does not imply that any decision has been made about the allegations.

During the period of suspension, the colleague will continue to be paid their average earnings. While suspended, colleagues should not visit work premises or contact any clients, customers, contractors or colleagues, except in the case of contacting their chosen companion, or unless prior authorisation has been sought from their line manager. Other terms and restrictions will apply to suspensions, and these will be confirmed in writing to the colleague.

To ensure the integrity of the investigation, colleagues are required to keep all matters connected with the suspension confidential and not discuss them with anyone other than their representative/companion.

7.3 Disciplinary Hearing

Following any investigation, if it is considered that there are grounds for disciplinary action, the colleague will be required to attend a Disciplinary Hearing. The format that will normally be followed in a Disciplinary Hearing is included as Appendix B.

Before any formal disciplinary sanction is issued, the colleague will be given the opportunity to hear the allegations and to explain their version of events or action to a Disciplining Manager in the form of a Disciplinary Hearing.

The Disciplining Manager may be advised by a representative of the People Team. Colleagues will be given written notice of the date, time, and place of the Disciplinary Hearing. The hearing will be held as soon as reasonably practicable, but the colleague will be given a reasonable amount of time to prepare their case based on the information with which they have been provided.

The letter will contain details of the nature of the allegation(s), the basis for those allegations, and what the likely range of consequences will be if it is decided after the hearing that the allegations are true. The following will also be provided where appropriate:

- a) a copy of the investigation report and any other relevant documents which will be used at the disciplinary hearing; and
- b) a copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case as much information as possible will be provided whilst maintaining confidentiality.

Colleagues will also be informed of their right to be accompanied. Where a colleague fails to attend a hearing with no acceptable reason, the Disciplining Manager, once satisfied that the colleague was made aware of the arrangements for the hearing and having considered the reasons for non-attendance, has the discretion to continue with the hearing in the absence of the colleague. Within 7 calendar days of the hearing, the colleague will be sent a letter detailing the outcome of the hearing and their right to appeal.

8. Disciplinary Sanctions

- While any warning is live, it may be taken into consideration should a colleague apply for an alternative job internally. Additionally, its existence may be subject to disclosure if a reference is requested from the Company by a prospective employer.
- While any warning is live, any annual increments or bonus awards the colleague would otherwise qualify for may be withheld at the discretion of the Company.

- Any disciplinary warning issued will remain 'live', for the purposes of escalation under this procedure, for a period of 12 months. Any further instances, whether related or unrelated, of unsatisfactory performance, misconduct, or breach of rules during the life of a warning, may result in further disciplinary action, or an extension of the existing warning for a further defined period.
- Where a disciplinary matter results in a concern regarding 'safeguarding', a referral may be made to the relevant professional body and/or the authorities or regulators, in accordance with the safeguarding policy and internal escalation/authorisation route. In some instances, the Company may be legally obliged to do so.

8.1 First Written Warning

If a serious breach of discipline occurs, or if there have been a number of less serious breaches, colleagues may be given a first written warning. They will be provided with the reason for the warning, the improvement required and the period over which it must occur. Further action under the procedure may also be considered should the required improvements not be met. A copy of the warning will be kept but will normally be disregarded for the purposes of escalation after twelve months. The colleague will be provided with a letter that will confirm the reason for disciplinary action and the sanction imposed and will also provide details regarding how to exercise the right of appeal.

8.2 Final Written Warning

If there is no or minimal improvement, or a further act of misconduct, following the issue of a written warning, or if there has been an act of misconduct which in itself is sufficiently serious to warrant more than a written warning, colleagues may be given a final written warning.

They will be provided with the reason for the warning, the improvement required and the period over which it must occur. Further action resulting in dismissal may occur should the required improvements not be met.

A copy of the warning will be kept but will normally be disregarded for the purposes of escalation after a period of twelve months. Final written warnings may be issued for a longer period, or extended, in justifiable circumstances.

8.3 Dismissal

If a colleague's conduct fails to improve despite the issue of a final warning, or they are deemed to have committed an act of gross misconduct, dismissal may result.

A dismissal letter will be issued, and this will include the reasons and the effective date. In instances where dismissal follows and the colleague is entitled to receive notice, except in cases of gross misconduct, the Company reserves the right to make payment in lieu of notice.

At the point of dismissal, the manager carrying out the dismissal may, at his or her entire discretion, consider alternative action. Mitigating circumstances, including length of service and previous employment history will be considered.

Alternative action may include demotion, loss of seniority, reduction in pay or transfer. In such cases the colleague will be issued with a final written warning and will have 7 calendar days to decide whether to accept the alternative role offered.

8.4 Dismissal: Gross Misconduct

Dismissal for Gross Misconduct can take place without any previous warnings in place. This will be summary dismissal, i.e., without notice and will take effect from the date of the decision to dismiss.

In cases of Gross Misconduct, no notice payment or pay in lieu of notice will be payable. Gross misconduct is seen as misconduct serious enough to destroy the contract of employment by breaking the fundamental bond of trust and confidence between the Company and the colleague. Examples of gross misconduct are provided in Appendix A.

9. Appeals

Colleagues have a right of appeal against all formal disciplinary sanctions. The appeal should be made in writing, in accordance with the instructions detailed in the outcome letter, within 7 calendar days of the date of the outcome letter. If a colleague wishes to appeal, their appeal letter should include the following points where relevant:

- Why they feel the original decision was not a logical and reasonable response to the facts presented.
- Why they find the outcome or action unfair.
- How the Disciplinary Procedure was not followed, and how this affected the outcome. Appeals will be heard by an appropriate senior manager who has not been involved in the original process and may also be supported by a member of the People Team.

9.1 Appeal Outcome

Following an Appeal Hearing, the Appeal Manager may:

- Confirm the original decision.
- Revoke the original decision.
- Substitute a different outcome.

The decision of the Appeal Manager is final and will generally be communicated to the colleague in writing within 5 calendar days of the appeal meeting, although this may not always be possible. If further time is required to notify the colleague of the outcome, the Appeal Manager will keep the colleague informed in writing as to progress and when a decision is likely to be issued.

10. The Right to be Accompanied

Colleagues involved in the disciplinary process are encouraged to seek advice and support at any stage, including informal stages if needed. However, the formal right to be accompanied applies at the formal stages only.

Colleagues who are invited to attend a formal disciplinary meeting are entitled to be accompanied by an accredited full-time trade union official, a representative of a recognised trade union (who is a colleague of the Company), or a work colleague employed by the Company. This does not, however, normally apply to witnesses unless there are specific circumstances to justify it.

If the right to be accompanied applies, colleagues will be notified of this in writing. Any request to be accompanied must be reasonable and the choice of companion should not contribute to any unreasonable delays in proceedings. If the chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, the colleague may be requested to choose an alternative companion. Colleagues must tell the Disciplining Manager who their chosen companion is, in good time before the hearing.

11. Raising a Grievance during Disciplinary Action

If a grievance is received during the course of the disciplinary procedure which relates to the disciplinary issue, the Grievance Manager may decide to:

- Continue with the disciplinary process and consider the points raised in the grievance as part of that process or as part of any appeal; or
- Temporarily suspend the disciplinary process, by exception and underpinned by risk assessment, for a period until the grievance has been considered; or
- Where the grievance is unrelated to the disciplinary issue, it will be considered completely separately from the disciplinary and will not impact on the disciplinary process.

12. Conduct Outside Employment

There are instances when a colleague's conduct outside of their employment will reflect upon their continued suitability to work for the Company. For example, the types of behaviour listed in Appendix A.

Such cases will be investigated as far as practicable and disciplinary action including dismissal may be considered appropriate.

13. Criminal Offences

Where criminal proceedings are pending against a colleague, or criminal allegations have been raised in relation to the colleague, they must inform their line manager as soon as they become aware of such circumstances. Failure to do so may in itself be considered a disciplinary matter.

The Company will determine whether disciplinary action is appropriate in the circumstances of the case. Where it is deemed appropriate, the Disciplinary Procedure will be carried out in the usual objective format and will not normally be delayed or deferred because of any such criminal proceedings. Where Police investigations are being carried out, advice must be sought from the Police prior to commencing any internal investigation.

14. Colleagues with Particular Requirements

If any colleague involved in a disciplinary process has particular requirements due to a personal protected characteristic, such as related to disability or language, the Company will endeavour to make reasonable adjustments to enable participation within this process without detriment or disadvantage.

15. Record Keeping and Confidentiality

In accordance with the ACAS Code of Practice on Discipline, the Company will keep written and electronic records of disciplinary action and proceedings. Disciplinary outcomes will be recorded on a colleague's personal file, together with details of any formal sanctions applied. Case files will be stored separately and securely in an electronic file.

Records will be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act. Only those colleagues and external advisers connected to the matter (which may include, for example, managers, witnesses, representatives and those acting in an advisory capacity, e.g. the People Team, any relevant regulatory body etc.) will be advised of the details of disciplinary cases on a 'need to know' basis and judgements regarding either, full, partial or non-disclosure of meeting notes, witness statements and other information will be at the discretion of the managers acting on behalf of the Company.

Colleagues involved in disciplinary proceedings, in any capacity, are also required to exercise confidentiality. This does not prevent the Company from disclosing certain confidential information and/or reports to third parties including as future employers, clients, police, LADO, and others where it is appropriate to do so.

16. Monitoring and Learning from Disciplinary Matters

The use of this procedure will be monitored by the Head of People to ensure that it operates fairly and efficiently. The Company will also monitor the nature of disciplinary issues to facilitate learning in relation to trends and themes that may suggest that other procedures, practices or working conditions may require review.

17. Review

This procedure will be monitored and periodically reviewed, in line with legislation and good practice, and any amendment to it will be published on Pabunet and the policy page on Colleague Self Service.

Nelson Williams
Managing Director

(This policy will be reviewed in October 2023)

Appendix A – Gross Misconduct

Gross Misconduct The following are examples of behaviour that may be regarded as gross misconduct and could result in summary dismissal i.e. without notice. The list is not exhaustive, examples are:

- 1.1 Theft, unauthorised removal or possession of property belonging to the Company (or its colleagues, customers or the public).
- 1.2 Fraud; Falsification of financial claims or any other fraud.
- 1.3 Abusive behaviour; Fighting, assault, violence, offensive behaviour, verbal assault on colleagues, clients or members of the public.
- 1.4 Deliberate falsification of Company's records, reports, accounts, expense claims or self-certification forms, whether or not for personal gain.
- 1.5 Borrowing of Company's cash and/or stock.
- 1.6 Sexual misconduct.
- 1.7 Willful action, disregard or serious neglect which endangers life or limb including deliberate damage to, or neglect of, or serious misappropriation of safety equipment and any non-compliance with Company Health and Safety Policies & Rules, Codes of Practice and Safe Working Procedures.
- 1.8 Misuse or abuse of the sickness scheme and fraudulent claiming of sick pay.
- 1.9 Bullying or harassment, including Cyber Bullying.
- 1.10 Deliberate and serious damage to property; damage caused maliciously or by gross negligence to the Company's property.
- 1.11 Discrimination against or harassment of another person on the basis of legally protected characteristics (e.g., age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation). Breaches of the relevant legislation could render a person liable personally for prosecution.
- 1.12 Serious misuse of the Company's property or name.
- 1.13 Serious abuse of the internet or email system, including access to obscene or offensive material.
- 1.14 Serious insubordination.
- 1.15 Accepting or offering a bribe or other secret payment.
- 1.16 Misuse or misappropriate use of drugs, including possession and/or supply and/or attempted supply of illegal drugs.
- 1.17 Being under the influence of alcohol, drugs (other than those medically prescribed) or other substances.
- 1.18 Serious neglect of duties, or a serious or deliberate breach of your contract or operating procedures.
- 1.19 Knowingly breaching statutory rules affecting your work.
- 1.20 Refusal to disclose any of the information required by your employment.
- 1.21 Giving false information as to qualifications or entitlement to work.
- 1.22 Knowingly taking parental, paternity or adoption leave when not eligible to do so.
- 1.23 Making a disclosure of false or misleading information.
- 1.24 Making untrue allegations in bad faith against a colleague.
- 1.25 Victimising a colleague who has raised concerns or given evidence or information under the Whistleblowing Policy, Anti-Corruption, Bribery and Fraud Policy.
- 1.26 Undertaking unauthorised paid or unpaid employment during working hours.
- 1.27 Unauthorised entry into an area of the premises to which access is prohibited.
- 1.28 Criminal offences committed during employment with the Company, including failure to disclose a conviction, caution, warning or other change to DBS status.
- 1.29 Conviction for a criminal offence that, in the Company's opinion, may affect its reputation or its relationships with its colleagues, customers or the public, or otherwise affects the colleague's suitability to continue to work for the Company.

- 1.30 Unauthorised use, processing or disclosure of personal data contrary to our Fair Processing (Colleague Data) Policy.
- 1.31 Serious misuse or unauthorised entry to information technology systems, computer records, computer fraud or sabotage.
- 1.32 Serious negligence which causes unacceptable loss, damage or injury.
- 1.33 Breach of confidence.
- 1.34 Conduct that brings the Company's name into disrepute.
- 1.35 Covertly recording meetings or conversations.
- 1.36 Any safeguarding issues that are founded

Other acts of misconduct may come within the general definition of gross misconduct. The list is neither exclusive nor exhaustive.

Misconduct

The following are examples of behaviour that may be regarded as misconduct. The list is neither exclusive nor exhaustive.

- 2.1 Unauthorised absence.
- 2.2 Damage to, or unauthorised use of, our property.
- 2.3 Failure to observe minor breaches of the Company's Rules, Regulations and Procedures or statutory regulations such as food safety and health and safety guidance.
- 2.4 Excessive use of our telephones for personal calls.
- 2.5 Excessive personal email or internet usage.
- 2.6 Smoking in no smoking areas.
- 2.7 Poor job performance, including neglect of duties and poor quality of work.
- 2.8 Disobeying instructions, omitting, or neglecting to carry out reasonable orders or failing to observe operational regulations, policies, or procedures.
- 2.9 Persistent untidy appearance or not following guidelines on the wearing of personal protective equipment.
- 2.10 Refusal to carry out a reasonable instruction from a supervisor.
- 2.11 Improper, disorderly, or unacceptable conduct, unprofessional behaviour, insubordination or inappropriate language.
- 2.12 Disrespectful behaviour such as sarcasm, mimicry, mockery, which cause personal offence.
- 2.13 Abuse of status or position when dealing with other colleagues or the public.
- 2.14 Unauthorised absence from duty, lateness or leaving work without permission, with insufficient cause.
- 2.15 Failure to perform responsibilities satisfactorily due to a wilful act or neglect. This may include causing loss or damage; failure to report matters which should have been reported and failure to keep appropriate records or accounts.
- 2.16 Conduct which may have an adverse effect on the Company's reputation, including actions outside of work and inappropriate use of social media.
- 2.17 Damage to or unauthorised use of the Company's property.
- 2.18 Breaches of Company policies including Sick Leave Management Policy, Health and Safety Policies and Information Governance and IT policies.
- 2.19 Minor breaches of the employment contract.

Appendix B - Disciplinary Hearing Procedure

The Disciplining Manager may be accompanied by a representative of the People Team who will act as an adviser. Additional people may be required to attend the hearing in specific cases (e.g. where professional and/or technical advice to the Disciplining Manager is required).

The following procedure will apply at the hearing:

- The Disciplining Manager may ask questions at any time.
- Either side may request an adjournment at any time.
- The Disciplining Manager will outline the procedure; ensure it is followed and that the hearing is conducted fairly and objectively.
- The Disciplining Manager may call and question any witnesses. No witness may be present at the hearing until called.
- The colleague or their companion may raise points, via the Disciplining Manager, about any information provided by witnesses.
- The Disciplining Manager may re-examine the witness(es).
- The colleague or their companion may question the Disciplining Manager.
- The colleague or their companion will outline the case for the colleague and present any supporting evidence.
- The colleague or their companion will call and question any witness(es), provided that sufficient advance notice to arrange their attendance has been provided. No witness may be present at the hearing until called.
- The Disciplining Manager may raise points, about any information provided by witnesses.
- The colleague or their companion may re-examine the witness(es).
- The Disciplining Manager has the right to question the colleague. The colleague's companion should not answer questions on the colleague's behalf, but the colleague and the companion may confer privately at any time during the hearing.
- The Disciplining Manager sums up, followed by the colleague or their companion. Any pleas of mitigation may be entered at this time by the colleague or their companion.
- The Disciplining Manager may adjourn the disciplinary hearing if it needs to carry out any further investigations such as re-interviewing witnesses in the light of any new points raised at the hearing. The colleague will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- The Disciplining Manager will inform the colleague in writing of its decision and its reasons for it, usually within 5 calendar days of the disciplinary hearing. Where possible this will also be explained in person.

Appendix C - Appeals Hearing Procedure

- The Appeal Manager may use a member of the People Team as an adviser to assist them.
- The appellant may elect to have the case considered on written evidence alone.
- The Appeal Manager may ask questions at any time.
- Either side may request an adjournment at any time.
- The appellant or their companion shall state their case.
- The management representative shall have the opportunity to ask questions of the appellant and their companion on matters raised by the appellant or their companion.
- The management representative may re-examine the appellant or their companion on any matters referred to in their examination by the management representative or the Appeal Manager.
- The management representative shall state the case for the management decision.
- The appellant, or their companion, shall have the opportunity to ask questions of the management representative.
- The management representative shall have the opportunity to sum up the management case.
- The appellant or their companion shall have the opportunity to sum up the appellant's case.
- Where full or partial re-hearings of the case are necessary, witnesses may be recalled by either side. In such cases each side shall be able to question their own witnesses, raise points (via the Chair) in relation to information provided by the other side's witnesses, and re-examine their own following cross questioning. The Appeal Manager may also question witnesses.
- The Appeal Manager may at any time ask either side questions in order to clarify any statements made. The Appeal Manager may adjourn the appeal at their discretion in order that further evidence may be produced by either party or for any other reason. In such instances both parties shall withdraw.
- The Appeal Manager, and where appropriate the professional adviser, shall deliberate in private, only recalling both parties to clarify points of uncertainty on evidence already given. If recall is necessary, both parties shall return.

Notification of Outcome of Appeal

The outcome of the appeal will be confirmed in writing within 5 calendar days of the Appeal hearing unless this is not possible. The decision of the Appeal Manager will be final and there will be no further avenue of appeal.