

NORTH LANARKSHIRE COUNCIL

EDUCATION EMPLOYEE APPEALS SUB-COMMITTEE

DISCIPLINARY APPEAL HEARINGS

GUIDELINES AS TO PROCEDURE FOR CONDUCT OF MEETINGS

- (1) When the Sub-Committee is ready to commence a hearing the following personnel will be asked to join the meeting together:-
 - (a) the appellant and his/her representative (if any), and
 - (b) the Council's representative(s).
- (2) For disciplinary hearings the Council's representative will make an opening statement and will follow with an examination of any witness called on behalf of the Council.
- (3) The appellant's representative will then be given the opportunity to question any witness at the conclusion of his/her evidence.
- (4) The Sub-Committee will then, and normally at this point only, be given the opportunity of questioning any such witness.
- (5) The Council's representative will then have the opportunity to re-examine such a witness after the completion of members' questioning of him/her.
- (6) On completion of the re-examination, the witness should be asked to leave.
- (7) The appellant's representative will make an opening statement and will follow with an examination of any witness called on behalf of the appellant.
- (8) The Council's representative will then be given the opportunity to question any such witness at the conclusion of his/her evidence.
- (9) The Sub-Committee will then, and normally at this time only, be given the opportunity of questioning any such witness.
- (10) The appellant's representative will then have the opportunity to re-examine such a witness after the completion of members' questioning of him/her.
- (11) On completion of the re-examination, the witness should be asked to leave.
- (12) The Council's representative followed by the appellant's representative will then be asked to sum up their cases.
- (13) The appellant and his/her representative and the Council's representative will then withdraw. (At this stage, if it is anticipated that the deliberations of the Sub-Committee may take some time, the Chair may inform the parties accordingly and give them the options of either waiting to be recalled to the meeting for the Sub-Committee's decision or of being informed by the Clerk of the Sub-Committee's decision by telephone at the earliest opportunity. Whichever option is chosen, the Sub-Committee's decision will be confirmed in writing).
- (14) The Sub-Committee will then deliberate. If necessary, all parties concerned will be asked to rejoin the meeting should any point of clarification be required.
- (15) Having reached their decision, the Sub-Committee will then recall all parties concerned and intimate their decision which will be confirmed in writing by the Clerk.