

Medlock Primary School



Disciplinary-APPENDIX-B

"Embracing Learning, Realising Potential"

APPENDIX B –

Conduct of Disciplinary Hearings

- 1 The Hearing Officer/Chair of the Discipline and Dismissal Committee or the Clerk/Adviser will introduce all the parties present.
- 2 The school's case will be presented by the Investigating Officer/HR adviser in the presence of the employee and his/her companion. The Investigating Officer/HR adviser will call any witnesses on behalf of the school.
- 3 The employee and/or his/her companion will have the opportunity to ask questions of the Investigating Officer/HR adviser and witnesses
- 4 The Hearing Officer(s) will have the opportunity to ask questions of the Investigating Officer/HR Adviser and witnesses.
- 5 The witnesses called on behalf of the school will leave the hearing when they have given their evidence and answered all questions.
- 6 The employee and/or his/her companion will put his/her case in the presence of the Investigating Officer/HR Adviser. The employee and/or his/her companion will call any witnesses in support of the employee's case.
- 7 The Investigating Officer/HR Adviser will have the opportunity to ask questions of the employee and his/her witnesses.
- 8 The Hearing Officer(s) will have the opportunity to ask questions of the employee his/her witnesses.
- 9 The witnesses called by the employee will leave the hearing when they have given their evidence and answered all questions.
- 10 The Investigating Officer/HR Adviser will have the opportunity to sum up the school's case. The employee and/or his/her companion will also have the opportunity to sum up the employee's case. The summing up will be without interruption.
- 11 Both parties and their representatives will withdraw.
- 12 The Hearing Officer(s) supported by the Clerk/Adviser will deliberate in private. The parties may be recalled to clarify points of uncertainty on procedure or on evidence already given. If recall is necessary, both parties will return notwithstanding the fact that the point of clarification/procedure is only relevant to one party.

- 13 If the Hearing Officer(s) is/are able to reach a decision within a reasonable time, both parties and representatives will be recalled and the Hearing Officer(s) or the Clerk/Adviser acting on behalf of the Hearing Officer(s) will inform the parties of the decision, the disciplinary action to be taken (if any), and the employee's right of appeal (if appropriate) The hearing will end at this point.
14. If the Hearing Officer(s) is/are not able to reach a decision within a reasonable time, the parties will be recalled and advised of that fact and the hearing will be closed. The decision will be notified to the employee and/or his/her companion within five school working days of the hearing.

Important Notes

- The Hearing Officer(s) may adjourn the hearing at any stage if this appears necessary or desirable. If adjourning is for the purpose of enabling further information to be obtained, the Hearing Officer(s) will specify the nature of the information required and any adjournment should normally be for a stated period.
- The Hearing Officer(s) will have discretion as to the admissibility of any evidence/witness.

- 14 If the Hearing Officer(s) is/are not able to reach a decision within a reasonable time, the parties will be recalled and advised of that fact and the hearing will be closed. The decision will be notified to the employee and/or his/her companion within five school working days of the hearing.

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