

DISCIPLINARY APPEALS POLICY AND ACTION

Policy statement right of appeal

The Employee's right of appeal will be confirmed as part of the warning or dismissal letter. Wherever possible, a Manager who was not involved in the original disciplinary action will hear the appeal and decide the case as impartially as possible. However, it should be understood and recognised that in a small organisation this may not always be practical or possible.

Where, at any stage of Appeal, a disciplinary sanction is not upheld all reference to the incident will be removed from the employee's disciplinary record and a full appropriate explanation will be made to the employee.

This procedure should be used where an employee wishes to appeal against a disciplinary action, which has been implemented, when they believe the disciplinary penalty imposed is unjust.

Any such employee appeal must be made in writing, stating the grounds of the appeal, within five working days of the employee receiving the disciplinary penalty decision.

All workers have a statutory right to be accompanied at disciplinary appeal hearings, if they so wish by a fellow worker or trade-union official who may speak on their behalf.

Procedure

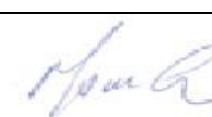
Stage 1

- If the Employee feels that the matter at the disciplinary hearing has not been correctly or properly dealt with or the decision is not fair, they should put their appeal in writing to a Senior Manager.
- Any appeal against a disciplinary matter to be made within 5 days of the Employee receiving details of the disciplinary action.
- The Manager will respond within 5 working days setting out a date and details of The Appeal Hearing.
- An appeal against dismissal the person hearing the Appeal will be a Senior Manager, the process shall be implemented at Stage 2, Part C of the Appeal process.

Stage 2

- At the Appeal Hearing consideration will be given to all material matters including such items as any new evidence.
- Also the Appeal Hearing will allow the employee every opportunity to comment and expand upon their reasons and be able to expand on their written grounds of Appeal.
- When the employee is appealing against dismissal they must put their grounds of Appeal in writing to the Director or their Authorised Deputy.
- The Employee will be entitled to have a meeting with the Director or their Authorised Deputy to allow them to fully consider the grounds of appeal.
- At the Appeal Hearing the employee has the right to be accompanied by a fellow worker of their choice or an accredited Trade Union Official. The Director or Authorised Deputy will give their decision in writing within 7 days of the Appeal Hearing being heard.
- The decision of the Director or their nominated Deputy is final, and will end the Appeal process.

Rotunda Policy Review Record

| Reviewed by: | Approval date: | Review frequency: | Review date: | Signed: |
|--------------|---------------------------|-------------------|---------------------------|---|
| Maxine Ennis | 11 th May 2024 | Annual | 12 th May 2025 |  |