Disciplinary Policy Guidance – Panel Member

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Action	Supporting information
Confirm that you are available to be a member of the disciplinary/appeal panel and that you have **no conflict of interest** in the case	You will need to **agree a date for the hearing** with the Chair/Appeal Convenor. Hearings normally need to take place within two - four weeks of the appeal letter being submitted, so if you are not available for a significant number of days over that period you should let the HR Case Manager know that you cannot be part of the panel. Check that you do not have any conflicts of interest that would prevent you participating in the hearing and reaching a decision objectively. If you do have a conflict advise the HR Case Manager at the earliest opportunity. Check the Conflict of Interest Policy for guidance.
Plan for the hearing	You will be sent the relevant documentation e.g. Investigating Officer's (IO's) report (for Disciplinary hearing), hearing outcome letter (for Appeal hearing). Make sure you go through all documents thoroughly and highlight any areas where you want to find out more, or have queries. Consider what questions you have for the employee and the role holder (e.g. Investigating Officer, Chair of Disciplinary hearing) who will be attending the hearing. Read the Disciplinary Policy to make sure you are familiar with the formal process including what sanctions are available if disciplinary action is taken. The Chair/Appeal Convenor will arrange a **pre meeting** with you and the other panel member if there is one and you can agree what questions you will ask. You must not prejudge the outcome of the hearing based on the information you receive in advance. Make sure you are open to hear from the employee and other attendees.

The Hearing	The hearing schedules and timescales are outlined in the Disciplinary Policy
The Hearing – Panel responsibilities	The possible outcomes of a disciplinary hearing are: • **No disciplinary action** (although you can still recommend other remedies or actions e.g. training, mediation) • **Written warning** lasting one year • **Final written warning** lasting two years • **A sanction short of dismissal** – as an alternative to dismissal you can issue a Final written warning + another sanction e.g. demotion, loss of title, withholding a salary increment • **Dismissal** – dismissal would not apply to a first 'offence' unless the behaviour is deemed to be gross misconduct In deciding **whether or not to dismiss consider how serious, harmful and damaging** the misconduct has been. During the adjournment the panel must decide what sanction is appropriate based on the severity and impact of the misconduct, the circumstances surrounding the misconduct, any current warnings the employee has etc. Or In the case of an **appeal** the panel must decide if the action taken by the original panel was fair and reasonable. The panel should reach a decision collectively. You must take an appropriate amount of time to consider the information from the hearing. An **adjournment** should not be for an extended period and you should reach a decision as soon as practicably possible. It will be stressful for the employee waiting to know the outcome. If you need more time because there is a lot to consider or you need clarification on any issues e.g. legal advice, the Chair/Appeal Convenor can advise the employee that you require more time to reach a decision and they will be notified of the outcome in writing.