

How to: Arrange an Appeal Hearing (Service Appeals)

At all Appeal Hearings:

If the Appeal is to be heard by the **Appeals Sub-Committee** then the Service should acknowledge receipt and send a copy of the employee's letter to Democratic Services and Human Resources.

At Service Appeals, employees are entitled to 5 working days notice of any Appeals, in writing, unless an earlier date is mutually agreed.

Employees have the right to be accompanied by a trade union representative or work colleague at all Appeal Hearings.

Key activities for managers to undertake are:

- ✓ Arrange a time/date and location. An appropriate member of management and an Officer from Human Resources should be in attendance.
- ✓ Arrange a suitable location (a work or neutral environment with no interruptions). Where appropriate, ensure that an additional room is available for any witnesses that are being called to the Appeal Hearing (two rooms may be required if the employee also intends to call any witnesses).
- ✓ Where witnesses are being called to an Appeal Hearing by management, it is the responsibility of the manager presenting the Council's case at an appeal to contact them to ensure their availability on date(s) proposed for the Appeal Hearing.
- ✓ Where witnesses are being called to an Appeal Hearing by the employee or their representative, it is their responsibility to contact them to ensure their availability on date(s) proposed for the Appeal Hearing.
- ✓ Confirm the Appeal Hearing arrangements in a [letter](#).
- ✓ Provide written details of the arrangements for advising of witnesses and for submissions to be provided to you prior to the Appeal Hearing (include in the letter).
- ✓ On receipt of both the Council representative's and the Employee or their representative's written submissions and list of witnesses, copy all documentation to each side presenting the case in advance of the Appeal Hearing.

- ✓ Provide the employee and the Council's representative with a copy of the procedure to be applied at the Appeal Hearing (include in the letter).
- ✓ Note that if an employee is unable to attend a scheduled Appeal Hearing, the chair must be informed in advance.
- ✓ If an employee is unable to attend the scheduled Appeal Hearing, or a companion is unavailable, inform the employee they must agree an alternative date and take all reasonable steps to ensure the Appeal Hearing can proceed without unreasonable delay. An alternative date can be agreed, by mutual consent, normally within 5 working days of the original proposed date.
- ✓ If an employee cannot attend an Appeal Hearing for medical reasons, this must be supported by medical evidence, if necessary from the [Council Occupational Health \(OH\) Service](#) In these circumstances refer the employee to the OH Service and seek confirmation by the OH advisor of fitness to attend (or timescale for becoming fit). If the OH advice is that the individual cannot attend, a reasonable period of time must be allocated before consideration is given to holding the Appeal Hearing without the presence of the employee.
- ✓ If necessary, inform the employee (include in the letter) that, if they fail to attend the Appeal Hearing without reasonable explanation or fail to attend a re-scheduled Appeal Hearing, this may result in the appeal not being progressed. Advice from Human Resources should be sought.
- ✓ Copies of paperwork to be uploaded to My View as per guidance.

[My Team Documents](#)