

**Disciplinary Hearing Protocol**

* The person leading the meeting (the chair) will introduce the meeting and explain its purpose and how it will be conducted. The purpose of the meeting will normally be to establish the facts and determine whether there are proper grounds to take disciplinary action against the employee and, if so, the level of such disciplinary action.
* The parties present at the meeting will introduce themselves and confirm their respective roles in the meeting. The employee will be entitled to be accompanied, if they wish, by either a coworker, or a trade a trade union representative.
* The chair will state that the meeting is being conducted as part of the disciplinary procedure and confirm that a written record of the meeting will be made.
* The chair is responsible for leading the meeting, maintaining order and guiding participants through the agenda.
* The chair will explain that during the hearing all parties must respect each other, refrain from talking over each other and everyone given the opportunity to present their case. In the event the hearing is being held remotely, all participants need to have their cameras on.
* The chair will remind parties present that they are not permitted to record the meeting electronically and any breach of this provision may lead to disciplinary action against the employee. An exception to this would be where the employee has a disability, and it is considered a reasonable adjustment under the Equality Act 2010. In these circumstances, the chair should seek agreement from all the parties prior to recording a meeting and ensure that any such recording is made in line with GDPR.
* The Investigating Officer (IO) will fully explain and present the disciplinary case, ie the employee's alleged or suspected misconduct or other circumstance leading to the hearing. All the relevant facts will be put to the employee, with specific examples of relevant incidents being given where possible.
* The employee or their representative will be allowed a full opportunity to ask questions, and to raise points about any information provided in the hearing bundle and presentation.
* The employee will be allowed a full and fair opportunity to state their side of events, explain their conduct and state any mitigating factors. They may do this personally, or the employee's representative (if they have elected to be represented) may do this on their behalf.
* The IO will question the employee on their evidence. Although the employee may confer with their representative at any time during the meeting on request, the IO and the chair have the right to ask the employee personally to answer any questions put to them.
* The chair will take into account any mitigating factors put forward by the employee when subsequently making a decision about whether or not to impose a disciplinary penalty, and the level of any such penalty.
* The chair will sum up the key points of the meeting.
* The chair will inform the employee on when a decision will be made on whether to impose a disciplinary penalty on the employee.
* The chair will inform the employee that they will have the right to appeal against any disciplinary penalty imposed on them.
* The chair will close the meeting.

At any point during the meeting, the chair may adjourn the proceedings if it appears necessary or appropriate to do so (including for the purpose of gathering further information).