

CITY OF YORK COUNCIL
CORPORATE APPEALS PANEL
(Disciplinary Dismissals)

Procedure

The procedure for the appeal will be as follows:

- The appellant and/or his/her representative and the Management (officer(s) appearing for the Council) are invited into the meeting.
- The Chair of the Panel will introduce all parties present and explain procedural matters.
- The Chair will invite the appellant/representative to confirm the reason(s) for the appeal.
- The appellant or his/her representative will present his/her case and will call and question any supporting witnesses he/she considers necessary.
- Following the presentation of the appellant's case, the Chair will invite Management to put questions to the appellant or his/her representative/witnesses.
- Management will present the Council's case and will call and question any supporting witnesses he/she considers necessary.
- Following the presentation of the Council's case, the Chair will invite the appellant/representative to put questions to Management/witnesses.
- Members will ask both parties to sum up (please note that no new evidence can be introduced at this stage)
- Members can ask questions of both parties at any stage during the appeal.

- Any party may call for a reasonable recess during the appeal hearing.
- Once the case for and against the appeal has been heard, the Chair will call for an adjournment for the panel to make their decision.
- Both parties will leave the room while Members, advised by Human Resources, make their decision.

Decision

- Members will debate the case and decide which one or more of the four legal reasons for appeal are applicable.
- Depending on the reason for appeal, Members will decide whether the grounds for appeal are sustained and whether or not to uphold the original decision that the employee did commit a disciplinary offence.
- Members will decide whether or not to uphold the original penalty.
- The reasons for Members decisions will be recorded.
- The outcome of the appeal will be communicated in writing to all parties within five working days of the decision being made.