

Appendix 2

Standard Disciplinary Hearing Procedure

1. If deemed to be required prior to any hearing, the Disciplinary Committee shall set appropriate deadlines for the submission of written evidence/representations from the Respondent and witnesses
2. The hearing shall be convened by the Disciplinary Committee at a time suitable to the parties and communicated to them
3. The case against the Respondent will be presented by the Chair of the Committee together with relevant evidence
4. The Respondent will be granted the opportunity to present his/her case, challenge the evidence presented against them, submit their own evidence, call witnesses and make representations to the Disciplinary Committee. The evidence of further witnesses not notified in accordance with the policy will be admitted only at the sole discretion of the Chair of the Disciplinary Committee
5. Those representing a Respondent at a hearing may present and sum up their case, but they are not permitted to answer questions put to the Respondent.
6. Before being called witnesses will not be allowed in the room while evidence is being given, this shall not apply to the Complainant or Respondent
7. Questions by the Disciplinary Committee may be put to the Respondent and each witness on conclusion of their evidence
8. The Respondent shall have the opportunity to raise questions in cross examination
9. The Disciplinary Committee may limit cross examination as it deems appropriate
10. The Respondent and Chair will be allowed to make a closing statement to the Disciplinary Committee
11. The room will be cleared and the Committee will deliberate and determine whether on the balance of probabilities the disciplinary charge has been proven
12. The hearing will reconvene and the Chair of the Disciplinary Committee will communicate its decision or will arrange to notify the decision in writing at a later date as soon as is reasonably practicable
13. Where a charge is proven the Respondent shall have the opportunity to present arguments in mitigation
14. The Disciplinary Committee will review the Respondents previous record where relevant to consider sanctions
15. The room will again be cleared and the Committee determine the appropriate sanction in accordance with policy
16. The hearing shall be documented in writing and a record kept of all disciplinary proceedings and hearings

The above procedure may also be followed by the Appeal Committee whereby the Respondent is the Appellant and the Disciplinary Committee is the Appeal Committee