

Appeals Committee Procedure

1. The Appellant, or their representative, will put its case normally taking no longer than 20 minutes*.
2. The Authority's representative will have the opportunity to ask questions of the Appellant, or their representative, and of any witness called by the Appellant taking no longer than 10 minutes*.
3. Where the parties have been unable to agree a Statement of Facts, the Committee and its Advisers will have the opportunity to ask questions of the Appellant, or their representative, only for the purpose of clarification.
4. The Authority's representative will put its case normally taking no longer than 20 minutes*.
5. The Appellant, or their representative, will have the opportunity to ask questions of the Authority's representative and of any witnesses called by the Authority taking no longer than 10 minutes*.
6. Where the parties have been unable to agree a Statement of Facts, the Committee and its Advisers will have the opportunity to ask questions of the Authority's representative, only for the purpose of clarification.
7. The Committee and its Advisers will have the opportunity to ask questions of the Authority's representative(s) and of the Appellant, and/or their representative, and of any witnesses called by the Authority or the Appellant, normally taking no longer than 20 minutes*.
8. The Authority's representative and thereafter the Appellant, or their representative, shall have the opportunity - if they so wish - to sum up their case, introducing no new material.
9. The Authority's representative and the Appellant, and/or their representative and any witnesses will then withdraw.
10. The Committee will then consider the evidence and submissions and, by means of a vote if required, reach a decision on whether or not to uphold the appeal.

11. If necessary, the Committee will recall the parties to clarify points of uncertainty on evidence already given; should this be necessary both parties are to return notwithstanding only one is concerned with the point giving rise to doubt.
12. The decision of the Committee will be communicated to the parties at the conclusion of the hearing if practicable and, in any event, by the Legal or Human Resources Adviser to the Committee within 10 days of the hearing. Where, in the case of an appeal, the Appellant is accompanied by a representative of a recognised trade union, that trade union will receive the communication.
13. The details of the Committee's decision only shall be communicated to the parties and no explanation shall normally be given of the considerations leading to the decision. The form of the decision shall be one of the following as appropriate:-
 - a) That the ground of the appeal have been substantiated and the appeal be upheld;
 - b) That the grounds of the appeal have been substantiated in part and the appeal be upheld to the extent that
 - c) That the grounds of the appeal have not been substantiated and the appeal is not upheld;
 - d) That the appeal be referred to Moray (Full) Council for consideration and decision.

* Time extended at discretion of Chair