**HOW TO PRESENT AN INVESTIGATION AT A DISCIPLINARY HEARING**

**Preparation**

The Chair will commence the hearing by going through the format. You will be requested by the chair to present your case and may be asked questions by both the Chair and the employee.

 Read through your investigatory report so you are still clear on how the investigation was conducted, what the employees’ response was and how you came to your conclusions

 If you took any witness statements, make sure that you know names and what the witness statements detail

 If a witness is to attend the disciplinary hearing, you should advise the Chair that you wish them to be called

 If necessary, seek the Chairs’ permission for the introduction of new evidence ensuring that any documentation is made available to the employee and their representative. This must be done prior to the commencement of the Hearing. If the new evidence is to be accepted, all parties must be given time to consider such evidence

 You may wish to prepare a summary statement for you to present at the disciplinary hearing which should involve all the key facts and responses

**Presenting the Investigation at the Disciplinary Hearing**

 Clarify with the Chair that the witnesses you requested to attend the hearing have arrived

 The Chair will then ask you to state precisely what the allegation/s is/are against the employee

 You will then be required to present your investigation, the evidence collected regarding the allegation/s, by outlining the facts and where necessary explaining relevant documents and calling and questioning your witnesses. You should set the scene during your introduction then allow the witnesses to have their say. The evidence given by witnesses should follow a logical sequence and you should ask simple, single questions, ensuring that relevant documents are introduced at relevant times

 After each of your witnesses have stated what they know and you have questioned the witnesses, the Chair and the employee who has had allegation/s made against them will have the opportunity to question the witnesses and yourself if necessary

 The Chair will then give the employee who has had allegation/s made against them, the opportunity to state their case, present evidence and where appropriate call and question any witnesses they may have

 After each of the employee’s witnesses have given their evidence, you, the Chair and the employee who has had allegation/s made against them will then have the opportunity to question them

 You will be given the opportunity to “sum up” your case at the end of the Hearing. The aim of this part of the proceedings is to provide clarification of the facts of the case and their significance. This is important particularly as the facts of the case can be lost during the Hearing as a result of sidetracking. You should repeat the main points, stick to proven facts, refute misconceptions and demonstrate the extent to which the case has been proven

 The employee will then be given the opportunity to “sum up” their case

 Your role in the disciplinary hearing is now concluded. The Chair of the hearing will adjourn at this stage to allow for consideration of all the matters raised in addition to documentary evidence etc