## Right of appeal

You may use this form to appeal against decisions made under Section 2 of the Code of Practice on Reviewing Fixed-term Contracts. This is the procedure that is initiated by the University when a fixed-term contract is due to end.

Bear in mind that there is a separate procedure (set out in Section 1 of the Code) in which the employee, can claim that their fixed-term contract should be regarded as permanent. That procedure, initiated by the employee, has no right of appeal, and you should not use this form to lodge an appeal under that process.

## Lodging your appeal

Your appeal must be lodged with the Director of HR within 10 days of date you get the original decision in writing.

## About your appeal

If the University has carried out a fixed-term contract review as the contract nears its end, you can challenge

* a decision that a further fixed-term contract should be offered as such a contract can be objectively justified; or
* a decision to dismiss you; or
* a combination of the above decisions.

If you have been offered no further contract at all, this amounts to a dismissal, and you may appeal against such a decision.

You may support your appeal with any new facts or evidence that has come to light since the decision was made.

This form is designed to enable you to structure your appeal to address these issues. Remember, the appeal hearing is not normally a rehearing of the whole case. The panel hearing the case will, instead concentrate on the grounds of your appeal.

Thus, if you raise a matter at the appeal hearing that you do not raise now, the person(s) hearing the appeal may decide to exclude or disregard it. Your grounds of appeal must therefore be detailed enough to form the agenda and case statement at the appeal hearing. It is a principle of natural justice that University managers as well as the appellant should know beforehand what matters are to be raised and have the opportunity to consider their response.

If you are in a trade union or are being advised by another person, we suggest that you consult them before you complete the form.

If you don’t wish to use the form, your appeal must, in any case:

* be in writing; and
* set out in full the grounds of your appeal; and
* be lodged with the Director of HR within 10 working days of the date that you receive the written decision that you wish to appeal against.

When you have completed the form, please don’t forget to sign and date it.

## The next step

You should expect the University to reject any appeal that is out of time. For appeals lodged in time, the University will appoint an appropriate manager or panel to hear the case, normally within 20 working days.

## What to expect at an appeal hearing

The person or panel hearing the appeal will:

1. decide any disputes about procedure;
2. reject any ground of appeal that is not valid and explain the reason for the rejection;
3. consider any valid grounds of appeal;
4. establish the relevant facts, ensuring good order and natural justice;
5. allow all the parties to
   * put their side of the matter
   * hear the case put by the other side
   * ask questions, bring evidence and call witnesses;
6. reconsider the original decision and, if need be, change the findings or reduce the severity of any sanction (or both)
7. confirm their decision and the reasons for it, in writing to the employee and the relevant managers, within 5 working days.

Typically, the "running order" for the hearing will be as follows:

1. Introduction - the Chair/panel introduces those present and outlines the procedure.
2. Employee's presentation - The employee's side sets out the grounds of appeal and any supporting evidence. Chair/Panel invites the manager to ask relevant questions to enable the panel to come to a considered view. Chair/Panel seek clarification.
3. Manager's presentation - the manager addresses the issues raised in the grounds of appeal. Chair/Panel invite the employee to ask relevant questions to enable the chair/panel to come to a considered view. Chair/Panel seeks any further clarification.
4. Summaries - after an adjournment (if needed) each side (management first) takes turns to summarise the case without introducing new evidence.
5. Decision - after an adjournment to consider the case, the chair/panel gives the decision.

## About you and your employment

* 1. Your name 4. Your e-mail address

* 1. Your job-title 5. Your work phone number

* 1. Your workplace address 6. Your mobile phone number

# Appeal against dismissal

1. I am appealing on the grounds that the decision not to offer me any further contract was not reasonable and supportable.

Yes (If yes, go to question 2) No (If no, sign and date the form)

1. If you ticked “yes”, please explain:
   * why you dispute the reason given for the decision
   * any factors which you believe were given too much or too little weight
   * how the conclusion of your manager runs counter to the evidence and issues considered
   * any evidence not available at the original meeting that supports this aspect of your appeal; its relevance to the finding of fact at the original hearing; and what prevented you from presenting it then
   * any ways in which the procedure was breached or applied unfairly; and how this affected the decision.

# Signature of appellant

1. Your signature 2. Date of Signature