

## Appeals - how to make an appeal

### Employee guidance

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#### What can I appeal against?

You have a right to appeal against decisions taken as part of the following procedures:

- Attendance management
- Disciplinary and dismissals
- Grievances
- Managing individual capability
- Redundancy
- Right to Request Flexible Working

#### How do I submit an appeal?

You must submit an appeal within ten calendar days of the date of the letter advising you of the decision made at the hearing. Send your appeal to the manager who chaired the original hearing. To make an appeal, you are advised to use the appeal e-form. This ensures that:

- the basis of your appeal is clearly set out
- any supplementary information is provided at the same time
- the appeal is received speedily and a delivery acknowledgement is automatically generated.

#### Important - Appeal additional information

The manager who receives your appeal will write to you acknowledging receipt of your appeal. If the manager needs additional information from you about your appeal they will ask you for this. The manager will let you know the timescales for receipt of your additional information. It is important that you respond within the timescales given. The manager will schedule your appeal when they have received the additional information requested from you.

The appeal will be heard by a tier 1 or 2 Director and, *other than in exceptional circumstances*, will be held within 14 calendar days of the receipt of your appeal.

If you do not have access to iDerby there are two further options: an application for appeal - printable version which you can request from a manager and a word document application for appeal which can be sent to a personal email address.

### **Who makes the arrangements for the appeal?**

The letter you receive acknowledging your appeal will give you details of who will be hearing the appeal. In the majority of cases your appeal will be heard by a Director. The manager who chaired the original hearing will make most of the arrangements. You should liaise with them over dates, witnesses or companions.

### **What do I have to do?**

You are responsible for:

- making arrangements for your companion to attend. This should be a Trade Union Representative or another employee of the Council.
- deciding if you may need to call any witnesses. An appeal is not a re-hearing of the original case. It will address the points you have raised in your appeal. So you may not need any witnesses.
- making sure the person arranging the hearing is aware of any reasonable adjustments you may need.
- making your own notes during the hearing. We do not arrange note takers unless you need this as a reasonable adjustment.

You will receive the appeal case papers (including the management appeal response) seven calendar days before the date of the appeal hearing.

### **Contact details**

Email: [SHRS@derby.gov.uk](mailto:SHRS@derby.gov.uk)

Phone: 01332 640752

### **Downloads**

[Appeals policy](#)

[word document application for appeal](#)

[application for appeal - printable version](#)

[Scheme of delegation](#)

Useful links

- [ACAS - Promoting employment relations and HR excellence](#)
- [Employee support, equality and diversity](#)
- [HR Contacts](#)