



The Scottish Parliament
Pàrlamaid na h-Alba

Disciplinary Procedures - Guidance For Witnesses

Pròiseasan Smachdachaidh – Stiùireadh do Luchd-fianais

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Guidance for witnesses in a disciplinary case

If you are a witness to an incident which is being managed through the formal [Disciplinary Procedures](#) you are required to:

- co-operate fully with the investigation
- be truthful and objective when relating your version of events
- not divulge any information about the case to a third party

If you do not comply with these requirements, you may be subject to disciplinary action.

The investigatory interview will be conducted by the representative from the Human Resources Office in the role of Investigating Officer (or someone appointed by the Human Resources Office). The member of staff who is the subject of the investigation will not be present.

If you wish, you may be assisted at any investigatory interview by your trade union representative or a work colleague.

You will be provided with a copy of the note of the investigatory interview you have participated in and asked to confirm its veracity.

You should be aware that the member of staff who is the subject of the investigation will be provided with a copy of all documents related to the case, including any witness statements. If you have a genuine concern about your identity being revealed, you should discuss this with the Investigating Officer. If the Investigating Officer determines that there is a genuine need to protect your identity, your witness statement will be anonymised going forward.

If the matter proceeds to a Disciplinary Hearing, you may be asked to provide further information by the Hearing Manager. You may also be asked to answer questions posed by the member of staff who is the subject of the Disciplinary Hearing via the Hearing Manager. You will not normally be asked to appear at the Hearing with the member of staff who is subject to the hearing present.

You will receive reasonable advance notice in writing from the Hearing Manager and you will be asked to make yourself available on the day of the Hearing.

You may also find the SPCB's Disciplinary Procedures, Guidance for Managers useful in helping you to understand the disciplinary process in the context of your role as a witness.

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For further information contact:

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