

**STAFF APPEALS COMMITTEE**

**A meeting of the Staff Appeals Committee was held on 22 September 2004.**

**PRESENT:** Councillor Ferrier (Chair), Councillors McIntyre and Rooney.

**OFFICIALS:** J Bennington, R G Long and S Osbon.

**\*\* ALSO IN ATTENDANCE:** Appellant, M Hill (UNISON), R Hicks and D Jackson.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Sanderson and P Thompson.

**\*\* DECLARATION OF INTERESTS**

No declarations of interest were made at this point of the meeting.

**\*\* MINUTES**

The minutes of the meeting of the Staff Appeals Committee held on 13 July 2004 were submitted and approved as a correct record.

**\*\* EXCLUSION - PRESS - PUBLIC**

**ORDERED** that the press and public be excluded from the meeting for the whole of the business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Local Government Act 1972.

**APPEAL - CASE REFERENCE A/12/60**

The Committee considered case reference A/12/60 an appeal against dismissal on the grounds of gross misconduct.

Details of the procedure to be followed for the hearing together with a statement of case, which had been prepared by the Authority's representative, had been distributed.

In accordance with the procedure, the Service Area representative presented the Council's case and called three witnesses all of whom clarified the points raised and responded to questions posed by the Appellant's Trade Union representative, Members of the Committee, Service Area representative and Head of Legal and Democratic Services.

The Appellant's Trade Union representative and the Appellant presented their case and clarified the points raised and responded to questions posed by the Service Area representative, Members of the Committee and Head of Legal and Democratic Services.

Following the summing up of their cases, the Appellant, the Appellant's Trade Union representative and the Service Area representatives withdrew from the meeting whilst the Committee determined the appeal.

**ORDERED** that the appeal be upheld but that a Final Written Warning be issued and placed on the Appellant's personal file for a period of 12 months from the date of this meeting.