

## STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 7 March 2006.

**PRESENT:** Councillor Ferrier (Chair), Councillors McIntyre and A E Ward.

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

**\*\* PRESENT BY INVITATION:** Appellant, D Carsley (UNISON), R Morris and T Redmayne.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Rooney 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 15 February 2006 were submitted and approved.

### **\*\* 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/ 3 / 74**

The hearing referred to case reference A/3/74 an appeal in respect of a number of complaints.

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 and a statement from the Appellant had previously been distributed.

In accordance with the procedure, the Appellant presented the case, which was based on five main areas of complaint as follows: -

- (i) initial complaint against the Appellant's manager;
- (ii) complaint submitted to the respective Executive Director and subsequent grievance complaint;
- (iii) corporate failure to manage stress;
- (iv) restructuring of a Team for which the Appellant had previously been the manager;
- (v) disadvantage and discrimination.

The Director of Legal and Democratic Services clarified the position with regard to the evidence submitted by the Appellant and the Appellant's Trade Union representative on behalf of potential witnesses who for various reasons had declined to attend the meeting.

The Service representative confirmed that a case had been prepared in respect of the complaints regarding bullying and harassment as referred to under (i) and (ii) indicated above but not issues (iii), (iv) and (v) which had subsequently arisen. It was considered that a number of statements had been made by the Appellant during the submission of

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evidence pertaining to (iii), (iv) and (v), which impacted on (i) and (ii) and required to be examined by another Investigation Officer as part of the grievance procedures.

The Appellant, Human Resources representative and Director of Legal and Democratic Services explained the position from their perspective in respect of the additional issues referred to at (iii), (iv) and (v).

At this point, the proceedings were adjourned for approximately five minutes in order for all respective parties to clarify the position.

The meeting was reconvened and the Appellant's Trade Union representative requested that the Committee proceed to consider the evidence in respect of (i) and (ii) above and that (iii), (iv) and (v) be considered at a later date.

The Service representative reiterated that in so far as his evidence was concerned the issues raised under (iii), (iv) and (v) prejudiced the case in terms of (i) and (ii).

The Committee considered the position as to whether to proceed in respect of (i) and (ii) or deal with all issues (i) to (v) at a later date.

**ORDERED** that the appeal be adjourned until such time as all parties seek appropriate advice as to how to proceed with the complaints (i) to (v) and should it prove necessary a further meeting of the Committee comprising the same Members be arranged on a mutually acceptable date.