

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 3 April 2006.

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

OFFICIALS: J Bennington, S Osbon and J Thompson.

**** ALSO IN ATTENDANCE:** Appellant, Appellant's representative and M Wood.

**** AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor Rooney.

**** DECLARATION OF INTERESTS**

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

**** MINUTES**

The minutes of the Staff Appeals Committee held on 7 March 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/3/76

The Committee considered an appeal, case reference A/3/76 in respect of a grievance concerning issues of victimisation, harassment and bullying.

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 information from the Appellant, had previously been distributed.

In accordance with the procedure, the Appellant's representative presented the case on behalf of the Appellant. The Appellant and Appellant's representative responded to questions posed by the Authority's Legal representative and the Service Area representative.

The Service Area representative presented the Council's case and called two witnesses all of whom clarified the points raised and responded to questions posed by the Appellant's representative, Members of the Committee and the Authority's Legal representative.

At this juncture, the proceedings were adjourned for approximately five minutes and with the exception of Members, Legal representative and Governance Officer all vacated the meeting room.

The appeal hearing resumed and following the summing up of the cases, all withdrew with the exception of Members, the Legal representative and Governance Officer whilst the Committee determined the appeal.

The Appellant, Appellants' representative and Service Area representative returned for the announcement of the Committee's decision.

ORDERED as follows: -

1. That the appeal be not upheld having given full consideration to all the evidence both written and verbal at the meeting. The reasons for the decision were as follows:-
 - a) that from the evidence the Committee concluded that there was no basis to the allegations of bullying and harassment by either of the named Officers;
 - b) the Committee concluded that the requests by Officers to discuss hours of work with the Appellant were considered to be reasonable and what any reasonable manager would have done in the circumstances;
 - c) the Committee also concluded that there was no evidence to suggest that the named officers had been aware of the submission of an Equal Pay application to an Employment Tribunal, and indeed no evidence to suggest that this would have affected their actions in any way.
2. That it be noted that the Committee expressed the view that it was hoped that every effort would be made by all parties concerned to effect improvements with regard to communication in future.