

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 10 May 2006.

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

OFFICIALS: J Bennington, D Jackson and R G Long.

**** ALSO IN ATTENDANCE:** Appellant, Appellant's representative, S Cartlidge and witness.

**** 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 meetings of the Staff Appeals Committee held on 3 and 7 April 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/4/80

The Committee considered case reference A/4/80, an appeal against dismissal.

The statement of case, which had been prepared by the Service Area's representative and information from the Appellant had previously been distributed.

The procedure and sequence of events of the appeal hearing were explained.

The Service Area representative presented the Council's case and called a witness who assisted in clarifying the position. Both Officers responded to questions posed by the Appellant, Appellant's representative, Members of the Committee and the Legal representative.

With the agreement of all parties concerned supplementary information was provided by the Appellant, copies of which, were circulated at the meeting.

The proceedings were adjourned for approximately five minutes and with the exception of Members, Legal representative, Human Resources representative and Governance Officer all vacated the meeting.

The hearing resumed and the Appellant presented her case and together with her representative responded to questions posed by the Service Area representatives, Members of the Committee and Legal representative.

Following the summing up of the cases, all withdrew with the exception of Members, the Legal representative, Human Resources representative and Governance Officer whilst the Committee determined the appeal.

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

ORDERED that the appeal be not upheld having given full consideration to all of the evidence presented and on the grounds that:-

- a) the Committee accepted that the Trust had made a decision not to continue with the Project in question which was a pilot project and therefore it had been a proper decision by the Trust to make the Appellant redundant;
- b) the Committee was satisfied that genuine attempts had been made by the Council to redeploy the Appellant;
- c) the Appellant had been made redundant because the Project had ended and not for reasons of pregnancy;
- d) there was no evidence to suggest that the Appellant would not be considered for another post with the Council on the grounds of pregnancy.