

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 12 July 2006.

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

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

**** ALSO IN ATTENDANCE:** Appellant, Trade Union representative and S Smethurst.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors McIntyre and Rooney.

**** 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 4 and 10 May 2006 were taken as read and signed by the Chairman 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 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

APPEAL - CASE REFERENCE AD/1/06

Following the Chair's introduction the Director of Legal and Democratic Services outlined the proposed order of proceedings for the meeting.

In response to clarification sought, the Appellant confirmed that although the original appeal related to the issuing of a formal warning it was agreed that the appeal should proceed on the basis of the issuing of the dismissal under the Council's Managing Attendance Policy.

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

The Service Area representative presented the Council's case and responded to questions posed by the Appellant, Trade Union representative, Members of the Committee and the Legal representative.

The Appellant presented the case and together with the Trade Union representative responded to questions posed by Members of the Committee.

An opportunity was provided to both the Service Area representative and the Appellant to sum up their cases.

Following the summing up of the case by the Service Area representative all withdrew from the meeting with the exception of Members and the Legal and Democratic Services representatives whilst the Committee determined the appeal.

ORDERED that on the evidence presented the Committee concluded that the Council's correct procedures had been followed and that the decisions to issue a formal warning and dismissal were reasonable in all circumstances.