

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 25 October 2006.

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

OFFICIALS: J Bennington, D Jackson and J Thompson.

**** ALSO IN ATTENDANCE:** Appellant, Trade Union representative, G Clarke plus witnesses.

**** 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 meetings of the Staff Appeals Committee held on 20 and 27 September 2006 were taken as read 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 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

APPEAL - CASE REFERENCE AD/5/06

The Committee considered case reference AD/5/06 regarding an appeal against the issuing of a formal warning and subsequent dismissal under the Council's Managing Attendance Policy.

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

The Service Area representative presented the Council's case and together with a witness clarified the position and responded to questions posed by the Appellant and legal representative.

The Appellant's Trade Union representative presented the case and together with the Appellant clarified the position and responded to questions posed by the Service Area representatives.

Following the summing up of the cases all withdrew from the meeting with the exception of Members and the legal, human resources and governance representatives whilst the Committee determined the appeal.

ORDERED that after careful consideration of the documentary and oral evidence presented the appeals against the formal warning and dismissal be not upheld on the basis that the Council's procedures had been followed correctly in both cases.