

**STAFF APPEALS COMMITTEE**

A meeting of the Staff Appeals Committee was held on 7 February 2007.

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

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

**\*\* ALSO IN ATTENDANCE:** Appellant, Trade Union representative and J Moody.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors McIntyre 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 12 January 2007 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 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**APPEAL - CASE REFERENCE AD/3/07**

The Committee considered an appeal, case reference AD/3/07, against dismissal under the Council's Disciplinary 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, which included a video recording of CCTV footage of the incident in question which was shown several times throughout the proceedings.

The Service Area representative responded to questions posed by the Appellant, legal representative and Members of the Committee.

The Appellant presented the case and responded to questions posed by Members of the Committee and legal representative.

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 the appeal be upheld and the Appellant reinstated on the grounds that on all of the evidence presented the Committee was not satisfied that the Appellant had deliberately intended to assault the employee in question.