

**STAFF APPEALS COMMITTEE**

A meeting of the Staff Appeals Committee was held on 21 February 2007.

**PRESENT:** Councillor Rooney (Vice Chair) (In the 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 A Blower.

**\*\* APOLOGIES FOR ABSENCE** were submitted on behalf of the Chair, Councillor Ferrier and Councillor McIntyre.

**\*\* 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 7 February 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/4/07**

The Committee considered an appeal, case reference AD/4/07, against a formal warning and dismissal under the Council's Sickness Capability 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 and information provided on behalf of the Appellant, had previously been distributed.

The Service Area representative presented the Council's case and responded to questions posed by Members of the Committee and the legal representative.

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

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 on the evidence presented to the Committee the appeal be not upheld on the basis that the Council's correct procedures had been followed and the decisions to issue a formal warning and dismiss the Appellant on capability grounds were endorsed.