

STAFF APPEALS COMMITTEE

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

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

OFFICIALS: J Bennington, M Caveney and D Jackson.

**** ALSO IN ATTENDANCE:** Appellant and T Parkinson.

**** AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor 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 21 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/6/07

Details of an appeal (case reference AD/6/07) against dismissal on the grounds of gross misconduct had been circulated prior to the meeting.

Such documentation included the procedure to be followed for the meeting and a statement of case, which had been prepared by the Service Area's representative. The Appellant had submitted no documents.

In accordance with the procedure the Service Area representative presented the Council's case and responded to questions posed by Members of the Committee.

The Appellant presented the case and responded to questions posed by the Service Area representative, Members of the Committee and the 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 having given full consideration to all of the evidence presented at the meeting the appeal be not upheld on the basis that the Council's correct procedures had been followed and the decision to dismiss for reasons of gross misconduct had been justified on the grounds that the Appellant's conduct had undermined the contractual relationship between Middlesbrough Council as employer and the Appellant as employee.