

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 22 April 2008.

PRESENT: Councillor P Thompson (In the Chair);
Councillors Hubbard and J Walker.

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

**** ALSO IN ATTENDANCE:** J Cordiner plus witnesses.

**** CHAIR – APPOINTMENT**

ORDERED that in the absence of the Chair and Vice Chair, Councillor P Thompson be appointed Chair for this meeting of the Staff Appeals Committee.

**** APOLOGIES** for absence were submitted on behalf of the Chair (Councillor Rooney) and the Vice- Chair (Councillor Clark).

**** 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 3 April 2008 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 Part 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/5/08

Details of the procedure to be followed for the hearing together with a statement of case, which had been prepared by the Service Area representative, had previously been distributed to all concerned. The appeal, case reference AD/5/08 involved an appeal against dismissal under the Council's Disciplinary Policy on the grounds of six allegations of misconduct, three of which were defined as gross misconduct.

The Director of Legal and Democratic Services confirmed that the Appellant and the Appellant's Trade Union representative had agreed to the date of the meeting in January 2008 and both had been advised of the arrangements regarding the submission of a written statement of case or any other documentary evidence in support of the appeal. The Committee was advised that the Appellant's Trade Union representative had given an indication that the Appellant was unlikely to attend this meeting and confirmed that he was not aware of any documentary evidence to be submitted on behalf of the Appellant. Members were also informed that a previous date for an appeal hearing had not proceeded at the request of the Appellant.

The Committee considered the options available and agreed that consideration of the appeal should proceed in the absence of the Appellant and the Appellant's Trade Union representative.

The Service Area representative presented the Council's case and called two witnesses all of whom responded to questions posed by the Members of the Committee and the Director of Legal and Democratic Services. With the approval of all concerned a clearer reproduction of page 362 of the document submitted was circulated at the meeting.

The Service Area representative plus witnesses withdrew from the meeting whilst the Committee determined the appeal.

The Service Area representative returned to the meeting room for the announcement of the Committee's decision details of which would be confirmed in writing to the Appellant by the Director of Legal and Democratic Services.

ORDERED that having given full consideration to all of the evidence submitted the appeal be not upheld.