

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 6 May 2008.

PRESENT: Councillor Rooney (In the Chair);
Councillors McIntyre and K Walker

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

**** ALSO IN ATTENDANCE:** Appellant, Appellant's representative and D Simon.

**** PRESENT AS AN OBSERVER** (with the approval of all concerned): N Finnegan (Human Resources Advisor).

**** 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 22 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/11/08

The Committee considered an appeal, case reference AD/11/08 regarding an appeal against dismissal under the Council's Disciplinary Policy on the grounds of gross misconduct.

Details of the procedure to be followed for the hearing 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 and responded to questions posed by the Appellant, Appellant's representative, Members of the Committee and the Director of Legal and Democratic Services.

The Appellant and his representative presented the case and responded to questions posed by Members of the Committee and the Director of Legal and Democratic Services.

Following the summing up of the cases, all withdrew with the exception of Members, the Director of Legal and Democratic Services, Human Resources representatives and Governance Officer whilst the Committee determined the appeal.

The Appellant, Appellant's representative and 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 as follows:-

1. That having given full consideration to all of the evidence both written and verbal the appeal be upheld.
2. That the allegation of gross misconduct be supported but that the decision to dismiss the Appellant be replaced with a final written warning.