

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 21 July 2009.

PRESENT: Councillor Biswas (Chair), Councillors Clark and K Walker.

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

****ALSO IN ATTENDANCE:** Appellant, Appellant's Trade Union representative, J Cordiner plus a witness.

**** 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 9 June 2009 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 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 AG/07/09

The Committee met to consider an appeal, case reference AG/07/09 in respect of a grievance concerning claims of bullying and harassment.

Details of the procedure to be followed for the hearing together with a statement of case, which had been prepared by the Management representative and information from the Appellant, had been circulated to all parties concerned prior to the meeting.

Following introductions the Chair reaffirmed the procedure to be followed at the hearing.

Given the nature of the grievance and on the basis that it could be detrimental to his case the Appellant requested that the witness be asked to withdraw from the meeting during the presentation of his case.

The Director of Legal and Democratic Services reminded the Committee of the procedure for such hearings and the normal practice of witnesses being in attendance at the same time as the Appellant and Management representative.

At this point, the proceedings were adjourned for approximately five minutes in order for the Sub-Committee to consider the Appellant's request during which time the Appellant, Appellant's Trade Union representative, Management representative and witness left the meeting.

The meeting resumed with all parties present. The Chair announced that on this occasion and on the basis that no new evidence should be presented by the Appellant other than that previously provided, the Sub-Committee had acceded to the Appellant's request for the witness not to be present during the presentation of the Appellant's case.

Accordingly the witness withdrew from the meeting.

The Appellant presented his case and his Trade Union representative gave an indication of what the Appellant was seeking as an outcome from consideration of the grievance.

At this point of the proceedings the witness was called into the meeting.

The Appellant responded to questions posed by the Management representative and Members of the Committee.

The Management representative presented the Council's case and called a witness all of whom responded to questions posed by the Appellant, Members of the Committee and the Director of Legal Democratic Services.

Following the summing up of their cases, the Appellant, the Appellant's Trade Union representative, Management representative and witness withdrew from the meeting whilst the Committee determined the appeal.

The Appellant, Appellants' Trade Union representative, Management representative and witness 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 both written and verbal the appeal be not upheld.