

**STAFF APPEALS COMMITTEE**

A meeting of the Staff Appeals Committee was held on 16 November 2010.

**PRESENT:** Councillor McIntyre (Vice - Chair) (In the Chair), Councillors J Hobson and Rooney.

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

**\*\* ALSO IN ATTENDANCE:** Appellant, Appellant's Trade Union representative, N Pocklington and witness.

**\*\* AN APOLOGY FOR ABSENCE** was submitted on behalf of the Chair, Councillor Biswas.

**\*\* 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 2 November 2010 were noted.

**\*\* 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 AC/01/10**

The Committee considered case reference AC/01/10 regarding an appeal against dismissal under the Council's Performance Capability Policy.

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 and information received from the Appellant had previously been distributed.

Following introductions the Chair ensured that all present had a copy of the procedure to be followed at the hearing a copy of which had previously been circulated.

The Service Area representative together with a witness presented the Council's case and responded to questions posed by the Appellant's Trade Union representative and Members of the Committee.

The Appellant together with his Trade Union representative presented the case and responded to questions posed by the Service Area representative and Members of the Committee.

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

All representatives 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 presented the appeal be not upheld.