

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 5 April 2011.

PRESENT: Councillor Biswas (Chair), Councillors Hubbard and McIntyre.

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

**** ALSO IN ATTENDANCE:** Appellant, Appellant's Trade Union representative and R Hicks.

**** DECLARATION OF INTERESTS**

No declarations of interest were made at this point of the meeting.

**** MINUTES**

The minutes of the meetings of the Staff Appeals Committee held on 2 and 16 November 2010 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/02/11

The Committee considered case reference AD/02/11 regarding an appeal against dismissal under the Council's Disciplinary Policy and Procedure.

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 and a copy of the documents which had previously been circulated.

The Service Area representative presented the Council's case and responded to questions posed by the Appellant's Trade Union representative, Members of the Committee and the Director of Legal and Democratic Services.

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

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 as follows: -

- a) that the appeal be upheld;

- b) that having given full consideration to all of the evidence presented the Committee agreed that the sanction should be a final written warning to be issued and placed on the Appellant's personal file for a period of twelve months from the date of his reinstatement;
- c) that the appropriate Officer writes to the Appellant regarding reinstatement.