

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on 8 January 2013.

PRESENT: Councillor Biswas (Chair) Councillors Michna and J Sharrocks.

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

APOLOGIES FOR ABSENCE There were no apologies for absence.

DECLARATIONS OF INTERESTS

There were no declarations of interest made at this point of the meeting.

MINUTES - STAFF APPEALS COMMITTEE 11 DECEMBER 2012

The minutes of the meeting of the Staff Appeals Committee held on 11 December 2012 were submitted and approved as a correct record subject to the inclusion of S. Osbon in the attendance under the heading of Officers.

PROCEDURE NOTES FOR APPEAL HEARING AG/01/13

Details of the procedure to be followed at the meeting had been circulated to all parties concerned prior to the meeting.

Following introductions the Chair reaffirmed the procedures to be followed at the meeting and sought confirmation that all parties concerned had a copy of such documentation and that the Appellant had been advised of the opportunity to submit a statement of case for circulation prior to the meeting and that they could be accompanied by a Trade Union representative and call witnesses in support of their case. The Appellant confirmed accordingly.

EXCLUSION OF PRESS AND 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 AG/01/13

The Committee met to consider an appeal, Case Reference AG/01/03 in respect of a grievance which had been submitted which centred on issues in relation to the Council's policy regarding annual leave and statutory holidays in the Appellant's circumstances as outlined in Appendices B and F of the papers submitted.

The Appellant presented her case and as part of her submission and with the approval of all concerned a copy of an information sheet relating to European case law was circulated at the meeting.

The Appellant responded to questions posed by the Service Area representative, Members of the Committee and the Director of Legal and Democratic Services. During such time the Human Resources Advisor provided clarification where requested.

The Service Area representative presented the Council's case and responded to questions posed by Members of the Committee and the Human Resources Advisor provided clarification on points raised.

Following the summing up of the cases the Appellant and Service Area representative

withdrew from the meeting whilst the Committee determined the appeal.

The Appellant and 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 as follows:-

1. That having given full consideration to all of the evidence presented the appeal be not upheld.
2. That it be recommended that the Council's policy and Contract of Employment be examined with a view to providing further clarification regarding Bank Holidays.