

STAFF APPEALS COMMITTEE

Date: Tuesday 31st October, 2023
Time: 10.00 am
Venue: Spencer Room

AGENDA

1. Appointment of Chair Pro-Tem
2. Declarations of Interest
To receive any declarations of interest.
3. Minutes- Staff Appeal Committee - 26 September 2023 3 - 4
4. Exclusion of Press and Public
To consider passing a Resolution Pursuant to Section 100A (4) Part 1 of the Local Government Act 1972 excluding the press and public from the meeting during consideration of the following items on the grounds that if present there would be disclosure to them of exempt information falling within paragraphs 1, of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
5. Welcome, Introductions and Fire Evacuation Procedure
6. Grievance Procedure Note for Staff Appeals Committee 5 - 6
7. **Case Ref AD/04/23** 7 - 28
1
8. Disciplinary Procedure Note for Staff Appeals Committee 29 - 30
9. **Case AD/05/23** 31 - 90

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Monday 23 October 2023

MEMBERSHIP

Councillors D Jackson, T Livingstone and A Romaine

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne McNally, 01642 728329, joanne_mcnally@middlesbrough.gov.uk

STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on Tuesday 26 September 2023.

PRESENT: Councillors S Dean, D Jackson and A Romaine

ALSO IN ATTENDANCE: P Thompson (Unison)

OFFICERS: Atlanta Burgon, Nicola Finnegan, Joanne McNally, Andrew Perriman and Kerry Rowe

APOLOGIES FOR ABSENCE:

21/7 **MINUTES- STAFF APPEALS COMMITTEE - 25 JULY 2023**

The minutes of the Staff Appeals Committee meeting held on 25 July 2023 were submitted and approved as a correct record.

21/8 **DECLARATIONS OF INTEREST**

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

21/9 **EXCLUSION OF PRESS AND PUBLIC**

ORDERED that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 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.

21/10 **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting and explained the fire evacuation procedure.

21/11 **PROCEDURE NOTE FOR STAFF APPEALS COMMITTEE**

Following introductions, the Chair reaffirmed the procedure to be followed at the meeting, a copy of which had previously been circulated to all representatives.

21/12 **CASE AD/02/23**

The Committee considered an appeal AD/03/23 against a disciplinary outcome under the Disciplinary Policy.

A statement of case from the Management Representative and the Appellant had been circulated to all parties concerned prior to the meeting.

The Management Representative presented their case and responded to questions asked by the Appellant, their Representative and Members of the Committee.

The Appellant and their Representative presented their case and responded to questions asked by the Management Representative and Members of the Committee.

Following the summing up of the cases by the Management Representative, the Appellant and their Representative, the Chair informed the Appellant that the outcome of the Committees decision would be confirmed in writing to the Appellant by the Legal Services Representative.

Both parties withdrew from the meeting. The Legal Services Representative, the HR Representative and the Democratic Services Officer remained whilst the Committee

Tuesday 26th September, 2023

determined the appeal.

ORDERED: that, having given full consideration to all of the evidence presented the appeal against the Disciplinary under the Disciplinary Policy would not be upheld.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank