

## STAFF APPEALS COMMITTEE

<b>Date:</b> Tuesday 21st November, 2023
<b>Time:</b> 10.00 am
<b>Venue:</b> Spencer Room

### AGENDA

1. Declarations of Interest  
To receive any declarations of interest.
2. Minutes- Staff Appeal Committee - 31 October 2023 3 - 4
3. 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.
4. Welcome, Introductions and Fire Evacuation Procedure
5. Disciplinary Procedure Note for Staff Appeals Committee 5 - 6
6. Case Ref AD/06/23 7 - 252

Charlotte Benjamin  
Director of Legal and Governance Services

Monday 13 November 2023

MEMBERSHIP

Councillors S Dean (Chair), J Thompson (Vice-Chair), S Hill, D Jackson, T Livingstone, D McCabe, A Romaine, J Rostron and J Ewan

**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](mailto:joanne_mcnally@middlesbrough.gov.uk)**

## STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on Tuesday 31 October 2023.

**PRESENT:** Councillors, D Jackson, T Livingstone and A Romaine

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

23/1 **APPOINTMENT OF CHAIR PRO-TEM**

Councillor David Jackson was appointed as Chair Pro-tem for this meeting of the Staff Appeals Committee.

23/2 **DECLARATIONS OF INTEREST**

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

23/3 **MINUTES- STAFF APPEAL COMMITTEE - 26 SEPTEMBER 2023**

The minutes of the Staff Appeals Committee meeting held on 26 September 2023 were submitted and approved as a correct record.

23/4 **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.

23/5 **WELCOME, INTRODUCTIONS AND FIRE EVACUATION PROCEDURE**

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

23/6 **GRIEVANCE 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.

23/7 **CASE REF AD/04/23**

The Committee considered an appeal AD/04/23 against a grievance outcome under the Grievance Policy.

A statement of case from the Management Representative had been circulated to all parties concerned prior to the meeting. A statement from the Appellant had not been provided prior to the meeting.

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

The Appellant 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 and the Appellant, the Chair informed the Appellant the the outcome of the Committee's decision would be confirmed by the Legal Representative.

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

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

23/8

**DISCIPLINARY PROCEDURE NOTE FOR STAFF APPEALS COMMITTEE**

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

23/9

**CASE AD/05/23**

The Committee considered an appeal AD/05/23 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 and Members of the Committee.

The Appellant 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 and the Appellant, the Chair informed the Appellant that the outcome of the Committee's decision would be confirmed in writing to the Appellant by the Legal Representative.

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

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

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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