

STAFF APPEALS COMMITTEE

Date: Tuesday 23rd January, 2024
Time: 10.00 am
Venue: Spencer Room

AGENDA

1. Declarations of Interest
To receive any declarations of interest.
2. Minutes- Staff Appeal Committee - 21 November 2023 3 - 4
3. Minutes - Staff Appeal Committee - 12 December 2023 5 - 6
4. Minutes - Staff Appeal Committee - 19 December 2023 7 - 8
5. 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.
6. Welcome, Introductions and Fire Evacuation Procedure
7. Procedure Note for Staff Appeals Committee 9 - 10
8. Case Ref AD/08/23 11 - 74

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Monday 15 January 2024

MEMBERSHIP

Councillors S Dean (Chair), J Thompson (Vice-Chair), D Jackson

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 21 November 2023.

PRESENT: Councillors S Dean (Chair), J Thompson (Vice-Chair) and J Ewan

OFFICERS: N Finnegan, J McNally and A Perriman

23/13 **DECLARATIONS OF INTEREST**

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

23/14 **MINUTES- STAFF APPEAL COMMITTEE - 31 OCTOBER 2023**

The minutes of the Staff Appeals Committee meeting held on 31 October 2023 were submitted and approved as a correct record.

23/15 **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.

23/16 **WELCOME, INTRODUCTIONS AND FIRE EVACUATION PROCEDURE**

The Chair welcomed those present and explained the Fire Evacuation Procedure.

23/17 **CASE REF AD/06/23**

Due to there being additional information for Members to consider it was agreed that the meeting be adjourned and reconvened on 19 December 2023.

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STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on Tuesday 12 December 2023.

PRESENT: Councillors Sheila Dean, D Jackson

OFFICERS: N Finnegan, J McNally, A Perriman

23/18 **MINUTES- STAFF APPEALS COMMITTEE- 21 NOVEMBER 2023**

Due to the meeting being adjourned the minutes of the Staff Appeals Committee meeting held on 21 November will be submitted to a future meeting date of the Staff Appeals Committee.

23/19 **CASE REF AD/08/23**

Prior to the meeting a request had been received from the appellant's union representative requesting an adjournment. The Chair agreed to the adjournment and a new meeting date will be confirmed in due course.

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STAFF APPEALS COMMITTEE

A meeting of the Staff Appeals Committee was held on Tuesday 19 December 2023.

PRESENT: Councillors J Thompson (Vice-Chair), D Jackson and T Livingstone

ALSO IN ATTENDANCE: E Scollay

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

23/20 **DECLARATIONS OF INTEREST**

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

23/21 **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.

23/22 **PROCEDURE NOTE FOR STAFF APPEALS COMMITTEE**

The Chair welcomed those present to the meeting and explained the Disciplinary Procedure that would be followed during the Staff Appeal meeting.

23/23 **CASE REF AD/07/23**

The Committee considered an appeal AD/07/23 against a disciplinary outcome under the Disciplinary Procedure.

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

Both parties withdrew from the meeting. The Legal Services 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.

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

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