

EMPLOYMENT APPEALS SUB-COMMITTEE

HELD:30 MARCH 2010

Start: 10.05am

Finish: 12.35pm

PRESENT:

Councillors: Cropper (Chairman) Kay
 Jones M Pendleton
 Vickers

Officers: Human Resources Manager (Mr C Walsh)
 Principal Solicitor (Mr L Gardner)
 Principal Member Services Officer (Mrs S Griffiths)

Parties to the Management Representatives:-
Appeal: - Executive Manager Community Services (Mr D Tilleray)
 - Assistant Chief Executive (Ms K Webber)

 Management Adviser
 - HR Consultant (Mr J Booth)

 Management Witness
 - Exchequer Services Manager (Mr P Blakey)

 Appellant – Employee Payroll Reference 000290
 - Unison (Ms J Moss)

15. APOLOGIES

There were no apologies for absence.

16. MEMBERSHIP OF THE SUB-COMMITTEE

There were no changes to membership of the Sub-Committee.

17. DECLARATIONS OF INTEREST

There were no declarations of interest.

18. MINUTES

RESOLVED: That the minutes of the last meeting of the Sub-Committee held on 2 March 2010 be agreed as a correct record and signed by the Chairman.

19. PROCEDURE

Before proceeding to hear and determine the appeal Members noted the procedure to be followed as contained at Item no. 5 of the Agenda.

20. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of that Act and as, in all the circumstances of the case, the public interest in maintaining the exemption under Schedule 12A outweighs the public interest in disclosing the information.

21. APPEAL AGAINST SELECTION FOR REDUNDANCY - EMPLOYEE REFERENCE 000290

Prior to commencement of the meeting the Chairman announced the death of Councillor Mrs. Doreen Saxon who was a Member of the Council's Licensing and Appeals and Licensing and Gambling Committees, and the Sub-Committee expressed their condolences to her family.

The Chairman welcomed both parties to the meeting.

Members were reminded that the Sub-Committee was meeting to consider an appeal against selection for redundancy by an employee of the Council.

The appellant's representative indicated that they would not be calling any witnesses and the Executive Manager Community Services indicated that he intended to call the Council's Exchequer Services Manager as a witness.

In considering the appeal the Sub-Committee had before it the following documents:

- A. the Appellants' statement of case including details of the history/background to the case and the applicants' reasons why the appeal should be upheld.
- B. The Managements' statement of case containing details of the background of the case and the Management's reasons why the appeal should be dismissed.

The Sub-Committee, in accordance with the procedure heard the following aspect of the appeal,

- i) an oral submission on behalf of the appellant
- ii) an oral submission by the management representatives
- iii) questions put to each party by the other and questions put by members to each party

- iv) questions put to the witness by each party and by Members of the Sub-Committee
- v) a summing up by the management representatives and the appellant's representative

Following the conclusion of the summing up, both parties, together with their representatives, withdrew from the room and the Sub-Committee gave consideration to their decision.

The Sub-Committee came to the following conclusions:-

- 1) That the post of Benefits Team Leader – Overpayment Recovery had been made redundant due to the reduction of management responsibilities and the reduction of benefit recovery work undertaken by the Exchequer Services Section as a whole.
- 2) That even though the post of Benefits Team Leader – Overpayment Recovery had been made redundant due to redeployment within the Council, the appellant had not actually been made redundant.
- 3) That taking into account the job descriptions within the Exchequer Services Section and the responsibilities of the team leaders and the number of staff they supervised, the post was fairly selected for redundancy.

After the two sides had been advised of the Sub-Committee's decision, the Chairman indicated that the decision would be confirmed in writing as soon as possible following the meeting.

RESOLVED: That the Appeal by employee reference 000290 against selection for redundancy be rejected.

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CHAIRMAN