

EMPLOYMENT APPEALS SUB-COMMITTEE

AGENDA ITEM: 4
HELD: 2 MARCH 2010

Start: 10.00am

Finish: 12.00am

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

Management Adviser
- HR Consultant (Mr J Booth)

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

1. APPOINTMENT OF CHAIRMAN

Nominations were invited for Chairman and in this respect, it was

AGREED That Councillor Cropper be appointed Chairman.

2. APOLOGIES

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MEMBERSHIP OF THE SUB-COMMITTEE

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

4. PROCEDURE

The Chairman welcomed both parties to the meeting and introductions took place.

The Sub-Committee considered the procedure for the meeting as circulated and contained on page 3 of the Book of Reports.

The Chairman suggested that in relation to procedure no. 2.0 (Oral Submission) point 2.3 be amended to enable the questioning between both parties to be undertaken prior to the questioning by the Members of the Sub-Committee to either party.

Both parties indicated their approval to this amendment.

RESOLVED: That, subject to the amendment to 2.3 referred to above, the procedure rules be noted.

6. 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.

7. APPEAL AGAINST REDUNDANCY – EMPLOYEE REFERENCE 000290

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

At this point the Chairman asked the parties if they intended to call witnesses, in responding to the Chairman the appellant's representative indicated that they sought an adjournment of the meeting to a future date to consider further documentation that had recently come to light. These documents were identified by the appellant's representative.

Both parties agreed to a 30 minute adjournment in order to copy and circulate the documents identified by the appellant's representative to Members of the Sub-Committee and both parties.

Following receipt of the documents a further 10 minute adjournment was agreed.

Following the adjournment both parties were invited back into the room and questioned by the Chairman, he then asked each party if they wished to continue to proceed. The appellant's representative indicated that they sought an adjournment of the meeting to a future date in order to prepare their case to the Sub-Committee taking into account the additional documents. The management representatives indicated that they would be happy to proceed but had no objection to an adjournment of the meeting.

At this point both parties were asked to leave the room whilst the Sub-Committee considered an adjournment of the meeting to a future date.

Both parties were invited back into the meeting and the Chairman indicated that in the interests of a fair hearing the Sub-Committee would be reconvened at a future date to hear the appeal.

- RESOLVED:
- A. That the meeting to hear the Appeal Against Redundancy – Employee Reference No. 000290 be reconvened on 30 March 2010.
 - B. That the Appellant's statement be amended to include the additional documents and information and to be resubmitted by 15 March 2010.
 - C. That the Management's statement of case be amended to include the additional documents and information and to be resubmitted by 15 March 2010.

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CHAIRMAN