

## **EMPLOYMENT APPEALS SUB-COMMITTEE**

**HELD: 19 SEPTEMBER 2013**

Start: 9.30am

Finish: 5.40pm

### **PRESENT:**

Councillors: Cropper (Chairman) Owen  
Kay (Vice – Chairman) Wright  
Cheetham

Officers: Principal Solicitor (Mr L Gardner)  
Member Services/Civic Support Officer (Mrs J Brown)  
Principal Human Resources Officer (Ms G Farrimond)

Parties to The Appeal: Management:  
Assistant Director Community Services (Mr D Tilleray)  
Human Resources:  
Human Resources Advisor (Ms S Lewis)  
Witnesses:  
Environmental Protection & Community Safety Manager (Mr A Hill)  
Platform Architect (Mr A McKenzie)  
Internal Auditor (Ms M Moorey)

Appellant:  
Employee Reference – 2900407  
Appellant Advisor:  
GMB Representative (Mr R Carrick)

In attendance GMB Representative (Mr S Bissette) – Observer

### **1. APOLOGIES**

There were no apologies for absence.

### **2. MEMBERSHIP OF THE SUB - COMMITTEE**

There were no changes to Membership of the Sub – Committee.

### **3. URGENT BUSINESS**

There were no items of urgent business.

### **4. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **5. EMPLOYMENT APPEALS PROCEDURE**

The Chairman referred to the above procedure.

**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 paragraphs 2 & 4 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 DISMISSAL OF EMPLOYEE REFERENCE: 2900407  
(IDENTITY OF AN INDIVIDUAL - PARAGRAH 2 AND LABOUR RELATIONS - PARAGRAPH 4).**

The Chairman welcomed both parties to the meeting.

Members were informed that the Sub – Committee was meeting to consider an appeal by an employee of the Council against a decision taken by the Assistant Director Community Services in relation to his summary dismissal.

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

- A. The Managements' Statement of Case containing details of the background of the case and the Management's reasons why the appeal should be dismissed.
- B. The Appellants' Statement of Case including details of the background to the case and the Appellant's reasons why the appeal should be upheld.

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

- i. An oral submission by Management
- ii. An oral submission by each of Management's Witnesses'
- iii. An oral submission on behalf of the Appellant
- iv. Questions put to each party by the other and questions put by Members to each party
- v. A summing up by Management and the Appellant's Representative

RESOLVED: That the Appeal be dismissed.