

## **EMPLOYMENT APPEALS SUB-COMMITTEE**

**HELD: 16 MARCH 2015**

Start: 10.30am

Finish: 2.30pm

### **PRESENT:**

Councillors: Councillor Griffiths (Chairman)  
Kay (Vice Chairman)  
Owen Wright

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

Parties to The Appeal Management  
Housing Operations Manager (Ms L McGarry)  
Human Resources Advisor (Ms S Lewis)

Appellant Employee Payroll Number (2900347)  
Appellant Advisor Unison Representative (Mr P Foster)

### **1. APOLOGIES**

There were no apologies for absence received.

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

There were no changes to Membership of the 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 100 (A) 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 2 (Identity of an Individual) and Paragraph 4 (Labour Relations) Part 1 of Schedule 12A outweighs the public interest in disclosing the information.

**7. APPEAL AGAINST SELECTION FOR REDUNDANCY, SUBSEQUENT OFFER OF ALTERNATIVE POST AND ASSOCIATED SERVICE TENANCY CESSATION (EMPLOYEE PAYROLL NUMBER: 2900347) (IDENTITY OF AN INDIVIDUAL - PARAGRAPH 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 selection for redundancy, subsequent offer of an alternative post and associated service tenancy cessation.

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.
- B. The Appellants' Statement of Case including details of the background of the case and 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 on behalf of the Appellant
- iii. Questions put to each party by the other and questions put by Members to each party.
- iv. A summing up by Management and the Appellant's Representative

Following the conclusion of summing up, both parties, together with the representative, 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 'Resident Warden – Bath Springs Court' has been made redundant.
- 2. That the offer of suitable alternative employment in the post of 'Older Persons Support Officer' was reasonable.
- 3. That the decision by Management relating to the Category 2 property type was deemed fair.
- 4. That the decision by Management to place the Appellant on the list for 'Band A' properties was deemed fair and that Management will no longer highlight vacant properties on this list as requested by the Appellant.

- RESOLVED:
- A. That Management's decision in making the post of 'Resident Warden – Bath Springs Court' redundant be upheld.
  - B. That the offer of suitable alternative employment was reasonable.
  - C. That the Tied Tenancy of Bath Springs Court shall end.

- D. That the Sub – Committee request that the Assistant Director Housing and Regeneration exercise his discretion under the Housing Allocations Policy to allocate the Appellant a 5 year flexible tenancy in her current property.
- E. That the above recommendation is subject to the Appellant accepting the new post of 'Older Persons Support Officer'.

After both parties had been advised of the Sub – Committee's decision, the Chairman indicated that the decision would be confirmed in writing following the meeting.