

## **EMPLOYMENT APPEALS SUB-COMMITTEE**

**HELD: Monday, 8 October 2018**

Start: 10.30 a.m.

Finish: 3.20 p.m.

### **PRESENT:**

Councillors:	K Wright (Chairman) C Dereli (Vice-Chair) J Mee
Officers:	Principal Solicitor (Mrs K Lovelady) Principal HR & Learning & Development Officer (Ms G Farrimond) Member Services/Civic Support Officer (Mrs J A Ryan)
Parties to The Appeal:	Management Director of Leisure and Environment (Mrs H McDougall) Head of HR and Organisational Development (Mrs S Lewis)
Appellant:	Employee Payroll Number 2900123
Appellant Advisor:	Unison Regional Organiser (Ms D Baugh)

#### **1 APPOINTMENT OF CHAIRMAN**

That Councillor Wright be appointed Chairman for the meeting.

#### **2 APOLOGIES**

There were no apologies for absence received.

#### **3 MEMBERSHIP OF THE SUB - COMMITTEE**

There were no changes to the Membership of the Committee.

#### **4 URGENT BUSINESS, IF ANY, INTRODUCED BY THE CHAIRMAN**

There were no items of urgent business.

#### **5 DECLARATION OF INTEREST**

There were no Declarations of Interest received.

#### **6 EMPLOYMENT APPEALS PROCEDURE**

The Chairman referred to the above procedure.

#### **7 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

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of an individual) and Paragraph 4 (Labour Relations) Part 1 of Schedule 12A outweighs the public interest in disclosing the information.

**8        APPEAL AGAINST OUTCOME OF DISCIPLINARY HEARING - EMPLOYMENT  
PAYROLL NUMBER (2900123) (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, payroll number 2900123 against summary dismissal.

That the grounds for appeal were:-

- That the sanction imposed was unfair and unjust given the circumstances of the allegation and that no allowance was made for his 32 years exemplary service with the Council
- A full and thorough investigation of the incident did not take place in that all parties involved were not interviewed.

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

Management Statement of Case and Appendices.

Appellant Statement of Case and Supporting Documents.

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

- i.     An oral submission and cross examination by Management.
- ii.    An oral submission and cross examination on behalf of the Appellant.
- iii.   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 meeting and the Sub – Committee gave consideration to their decision.

The Sub – Committee came to the following conclusion:-

RESOLVED:                That the Appeal be dismissed in its entirety.

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-    **CHAIRMAN**    -