

**APPEALS COMMITTEE**  
**21/06/2018 at 9.00 am**



**Present:** Councillors Brownridge, C. Gloster and F Hussain

Also in Attendance:

Appellant

Paul Duffy

Emma Gilmartin

Diane Thorpe

Ray Ward

Fabiola Fuschi

Complaints Manager

Human Resources Business  
Partners

Human Resources Advisory  
Manager

Deputy Chief Executive - Corporate  
and Commercial Services

Constitutional Services Officer

1           **ELECTION OF CHAIR**

Constitutional Services opened and adjourned the meeting to allow Councillor Hussain to join the Panel.

The meeting was reconvened at 9.15am. The Panel was asked to nominate a Chair for the duration of the meeting.

**RESOLVED** that Councillor Brownridge be nominated Chair of the Panel.

2           **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3           **URGENT BUSINESS**

There were no items of urgent business received.

4           **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5           **DISMISSAL APPEAL PROCEDURE**

**RESOLVED** that the Dismissal Appeal procedure be noted.

6           **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

7           **DISMISSAL APPEAL**

The Chair of the Panel ensured that both parties were aware of the Dismissal Appeal procedure.

A Human Resources Business Partner, who had taken no part in the original decision, was in attendance to advise the Panel on matters of policy and procedures.

The Appellant, supported by a work colleague, presented her case. The Appellant called a witnesses to provide evidence to the Panel. The witness was questioned by the Appellant. The Dismissing Officer and the Panel asked no questions of this witness.

The Dismissing Officer, supported by a Human Resources Advisor, presented the case on behalf of the Authority. The Dismissing Officer called a witness to provide evidence to the Panel. The witness was questioned by the Dismissing Officer, the Appellant and the Panel.

The Panel asked questions of both parties and both parties asked questions of each other.

The meeting was adjourned briefly in three occasions to allow the attendees to take a comfort break.

Both parties were given the opportunity to summarise their case.

Having clarified all points, the parties were given permission to leave and were informed that the meeting would be adjourned until the following day. The Appellant was informed that she would be notified of the decision in writing within five working days of the close of the meeting.

The meeting was adjourned at 2.10 p.m. until Friday 22<sup>nd</sup> June at 9.30 a.m. when the Panel reconvened to deliberate.

Further legal advice was required to ratify the final decision.

The Panel was satisfied that the Council's policies and procedures had been followed correctly by the Dismissing Officer. The Panel was also satisfied that the correct conclusion had been reached by the Dismissing Officer.

**RESOLVED** that, having carefully considered all the information presented by the Appellant and the Dismissing Officer, the appeal be dismissed.

The meeting started at 9.00 a.m. and, following an adjournment, ended on Friday 22<sup>nd</sup> June 2018 at 12.31 p.m.