

APPEALS COMMITTEE
15/06/2021 at 2.00 pm



Present: Councillor Byrne (Chair)
Councillors Ibrahim and Taylor

Also in Attendance:

	Appellant
Michael Clark	GMB
Gaynor Boardman	Senior Human Resources Advisor (Directorates)
Andy Collinge	Head of School Support Services
Jen Windle	HR Advisory Team Leader
Sian Walter-Browne	Principal Constitutional Services Officer

1 **ELECTION OF CHAIR**

The Panel was asked to elect a Chair for the duration of the meeting.

RESOLVED that Councillor Byrne be elected Chair of the Panel for the duration of the meeting.

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 2019**

RESOLVED that the Appeals 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 **APPEAL AGAINST DISMISSAL**

The Chair of the Panel ensured that both parties were aware of the Appeals 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 the Trade Union Representative presented her case. The Appellant called no witnesses.

The Dismissing Officer supported by the Human Resources Advisor presented the case on behalf of the Authority. The Dismissing Officer called no witnesses.



Oldham
Council

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

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 they would be notified of the decision in writing within five working days of the close of the meeting.

Having considered all the information presented by the Appellant and the Dismissing Officer, the Panel decided to uphold the appeal and requested that the Appellant be reinstated to her substantive post.

RESOLVED that the appeal be UPHELD and the Appellant be reinstated to her substantive post.

The Panel also recommended that the Appellant be reverted back to Stage 2 of the Improving Attendance procedure, but with Stage 1 triggers as a reasonable adjustment.

The meeting started at 2.00 pm and ended at 4.27 pm