

Employee Appeals Panel

A meeting of Employee Appeals Panel was held on Friday, 18th July, 2008.

Present: Cllr Roy Rix (Chairman), Cllr Ian Dalgarno, Cllr Fred Salt, Cllr Mrs Allison Trainer.

Officers: Mike Batty (MB), Head of Community Protection, (DNS), Cheryl Lindsay (CL), HR Manager (HR), Denise McGuire (DM), (HR Advisor to the Panel), April McNamee (AM), (Legal Advisor to the Panel).

Also in attendance: Appellant (AD), Friend of Appellant (ES).

Apologies: Cllr Mrs Nelson

**EAP
15/08** **Declarations of Interest**

None

**EAP
16/08** **Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

**EAP
17/08** **Grievance Appeal - A D**

The Chair introduced the Panel Members to the Appellant and the Management side representatives.

As a preliminary point, MB asked whether AD was covertly tape recording proceedings. AD stated that he was about to ask the Panel about this.

The Chair explained that it was not the procedure of the Panel to allow proceedings to be recorded and directed that all recording equipment be removed from the hearing. ES did this.

AD stated that he felt unable to continue with the hearing if he was not permitted to record proceedings. AD stated that submissions at the hearing could be misrepresented and the only way to prevent this was to record proceedings.

The Chair requested a short adjournment in order to allow the Panel to deliberate and to make a decision on the request. The hearing reconvened several minutes later.

The Chair stated that the Panel's position was clear. The Employee Appeals Panel is independent panel of elected members who have had no dealings with any of the parties prior to the hearing. The Chair explained that the role of the Panel is to hear the Appellant's side and management's side and to make a decision accordingly. The Panel did not allow proceedings to be recorded as the Panel is independent. All parties are expected to put faith in the integrity of the members sitting.

The Panel considered the request to record proceedings was a challenge to the integrity of the Panel and, accordingly, the request was refused.

AD stated that it was not his intention to question the integrity of the Panel but AD felt unable to continue with his appeal if he could not record proceedings.

The Chair reiterated that this was a matter for AD. The Panel noted that AD did not object to any member's impartiality to sit on the appeal. AD stated that, on the basis that he could not record proceedings, he did not wish to continue.

RESOLVED that, given AD did not wish to continue, the Panel concluded that AD wished to withdraw his appeal.