

Employee Appeals Panel

A meeting of Employee Appeals Panel was held on Friday, 17th September, 2010.

Present: Councillor Rix (Chairman), Cllr Dalgarno and Cllr Salt.

Officers: Denise McGuire (HR Advisor to the Panel); Martin Tart (CESC); Angela Connor (CESC); Liz Bell (HR); April McNamee (Legal Advisor to the Panel); Sean McEneaney (CESC), Cheryl Lindsay (HR), Sue Geddes (CESC and Chris Todd (HR).

Also in attendance: Mrs A F (Appellant), Mrs J Coverdale and Ms J Wooley.

Apologies: were submitted on behalf of Cllr Jean Kirby and Cllr Kathryn Nelson.

EAP Declarations of Interest

19/10

None

EAP Exclusion of the Public

20/10

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

EAP Appeal Hearing (Age Retirement) - Mrs A F

21/10

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

The Management side was then invited to present their case which was supported by documentation circulated to the Panel and the Appellant. Questions were then invited from the Appellant and elected Members of the Panel.

The Appellant then outlined the case for appeal, which was also supported by documentation already circulated to the Appeal Panel and Management. This was then followed by questions from the management representative and Members.

RESOLVED that the Appeal against dismissal is not upheld.

EAP Reconvened Disciplinary Appeal Hearing - Mr R A

22/10

The HR Clerk brought to the Panel's attention the fact that she had wrote to the Appellant on 3rd August 2010 after the Appellant had failed to attend the original hearing on 2nd August 2010.

The Appellant had subsequently asked in letter dated 8th August 2010 for a re-scheduled hearing as the Appellant's witness was unavailable. The Appellant had not contacted the Council to explain reasons for not attending the original appeal hearing.

Following a letter from Democratic Services on 17th August 2010 informing the Appellant of the re-convened date, the Appellant confirmed attendance the Appeal hearing, scheduled for 17th September 2010, on 31st August 2010.

Due to the Appellant's failure to attend, having made no contact to explain the failure, the Panel proceeded in the Appellant's absence.

The Panel resolved that, as the Appellant had not attended either the original or re-convened hearing and had made no contact in advance of the non attendance that the Appellant must not wish to pursue the appeal further.

The Panel expressed their disappointment that the Appellant made no contact with the Council in relation to the non attendance after the Appellant had specifically requested a re-scheduled appeal hearing.

RESOLVED that the Appeal against dismissal has been withdrawn by the Appellant.