



GREAT YARMOUTH
BOROUGH COUNCIL

Appeals Committee

Date: Monday, 13 January 2014

Time: 10:00

Venue: Council Chamber

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

DECLARATIONS OF INTEREST

You have a PERSONAL INTEREST in a matter being discussed at a meeting IF

- It relates to something on your Register of Interests form; or
- A decision on it would affect you, your family or friends more than other people in your Ward.

You have a PREJUDICIAL INTEREST in a matter being discussed at a meeting IF

- It affects your financial position or that of your family or friends more than other people in your Ward; or
- It concerns a planning or licensing application you or they have submitted
- AND IN EITHER CASE a reasonable member of the public would consider it to be so significant that you could not reach an unbiased decision.

If your interest is only PERSONAL, you must declare it but can still speak and vote. If your interest is PREJUDICIAL, you must leave the room. However, you have the same rights as a member of the public to address the meeting before leaving.

1 MINUTES

3 - 4

To confirm the minutes of the meeting held on 21 October 2013.

2 **EXCLUSION OF PUBLIC**

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(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 I of Schedule 12(A) of the said Act."

3 **APPEAL AGAINST DISMISSAL - POST NUMBER 000039**

The Committee is asked to consider an appeal against dismissal. The following documents are attached:

A copy of the Appeals procedure

5 - 5

A copy of the appellant's report

Details

A copy of Management's report

Details

**LARGER PRINT COPY AVAILABLE
PLEASE TELEPHONE: 01493 846325**

APPEALS COMMITTEE

21 October 2013 – 10.00 am

PRESENT:

Councillor Holmes (in the Chair); Councillors Pettit and H Wainwright.

Mr S Duncan (Director of Resources, Governance and Growth - Management Officer), Mr C Dale (HR Advisor) and Mrs K Smith (Senior Member Services Officer).

The Appellant and the UNISON representative were present.

1. MINUTES

The minutes of the meeting held on 3 October 2013 at 10.00am and 1.00pm were confirmed.

2. APPEALS PROCEDURE

The Chairman read out the appeals procedure.

3. EXCLUSION OF PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12(a) of the said Act.

4. GRIEVANCE – POST NUMBER PR3000

The Appellant read out their reason for appeal.

5. MANAGEMENT REPORT

That Management detailed their report.

RESOLVED:

That the appellants appeal be dismissed.

6. CLOSURE OF MEETING

The meeting ended at 11.20 am.

Procedure for Appeals Committee Meeting

Introduction - The chairperson of the Appeals Committee, who may be accompanied / assisted by a representative from HR and a Legal Adviser, will introduce the parties.

Employee's Statement of Appeal

The employee will state their reason for appeal and desired outcomes. As part of this witnesses may be called. The chairperson of the Appeals Committee may ask questions of each witness. The Committee and the Advisers may also ask questions of the employee and the witnesses.

Presentation of Decision of the Chairperson of the Grievance Hearing

The Chairperson of the Grievance Hearing will provide the reasons for the decision. As part of this witnesses may be called. The employee may ask questions of each witness. The Committee and the Advisers may also ask questions of the Chairperson of the Grievance Hearing and the witnesses.

Re-examination - Both parties will be asked if they wish to re-examine any evidence before they proceed to the next stage.

Final Statements - Both the officer handling the case for the employer and the employee (last) may make a final statement.

Adjournment - Either party may request an adjournment of the hearing at any stage.

Consideration of the case - All parties to the hearing will then withdraw. The committee, assisted by the advisers, will then deliberate. If it is necessary to recall either party or witness in order to clear up any point of uncertainty on the evidence given, both parties will be recalled notwithstanding the fact that only one may be concerned with the point giving rise to doubt.

Decision - The chairperson of the committee will, if possible, give a decision to the parties immediately after the hearing. On occasion, time constraints may make it necessary to adjourn the hearing in order to properly consider the information provided. In this case, a decision meeting will be arranged for a later date. In any case, the employee will receive written confirmation from the Member Services Officer of the Committee's decision within 7 clear working days of the decision being made

Note: References to 'employee' include the representative acting on the employee's behalf