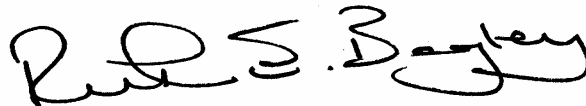


Date of issue: 26th January 2009

MEETING	EMPLOYMENT APPEALS SUB-COMMITTEE (Councillors Dodds, Hewitt and Rasib)
DATE AND TIME:	THURSDAY, 5TH FEBRUARY, 2009 AT 10.00 A.M.
VENUE:	MAYOR'S CONFERENCE ROOM, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	CATHERINE MEEK 01753 875011

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

NOTE TO MEMBERS

This meeting is an approved duty for the payment of travel expenses.

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		

AGENDA
ITEM

REPORT TITLE

PAGE

WARD

CONSTITUTIONAL MATTERS

1. Election of Chair

2. Declarations of Interest

(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct)

3. Minutes of the Meeting held on Friday 26th September 2008

1 - 2

All

4. Employment and Appeals Sub-Committee Procedure

3 - 4

All

5. EXCLUSION OF THE PRESS AND PUBLIC

It is recommended that the Press and Public be excluded from the meeting during consideration of the item in Part II of the agenda, as it involves the likely disclosure of exempt information relating to an individual as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended).

PART II

6. Appeal Against Dismissal

5 - 180

All

(a) Papers from Appellant

(5 – 8)

(b) Papers from Management

(9 – 180)

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.



Employment Appeals Sub-Committee – Meeting held on Friday, 26th September, 2008.

Present:- Councillors Davies and Hewitt

Apologies for Absence:- Councillor Rasib

PART 1

1. Election of Chair

Resolved – That Councillor Hewitt be elected Chair of the Sub-Committee.

(Councillor Hewitt in the Chair).

2. Declarations of Interest

None.

3. Minutes

The Minutes of the meeting of the Sub-Committee held on 9th January, 2008 were approved as a correct record.

4. Employment Appeals Sub-Committee Procedure.

Noted.

5. Exclusion of Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the business to be considered contained exempt information relating to an individual as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 (as amended).

PART II

(The following is a summary of the matter considered in Part II of the meeting).

6. Appeal Against Dismissal

The Sub-Committee considered an appeal from an employee against their dismissal. The appellant was present and was accompanied by a work colleague. The management case was presented by the Assistant Director (Raising Achievement). The Sub-Committee carefully considered the grounds of the appeal, the written evidence submitted by all parties and the submissions made at the hearing. The Sub-Committee dismissed the appeal.

Employment Appeals Sub-Committee - 26.09.08

Resolved - That this appeal be dismissed.

Chair

(Note: The Meeting opened at 12.00 pm and closed at 2.40 pm)

Employment Appeals Sub-Committee Hearing Procedure

1. The Chair of the Appeals Sub-Committee will invite the appellant and his/her trade union representative or work colleague and the Manager into the hearing room together.
2. The Chair will open the hearing by introducing all those present and to confirm the purpose of the hearing under the appropriate employment procedure.
3. The Chair will state the grounds for the appeal and ask the appellant whether these are correct. If there is a need for clarity, the Chair should ask the appellant to give further amplification on any points.
4. The appellant and/or his/her representative will present the appeal and call witnesses as necessary. Witnesses will appear one at a time and will only be present while they are giving evidence or being questioned.
5. The Manager may ask questions of the appellant and/or his/her representative and any witnesses. Members of the Appeals Sub-Committee and the advisors present may also ask questions relating to the evidence submitted to the hearing.
6. The appellant and/or his/her representative will be given the opportunity to re-examine witnesses, if this is necessary, but must not introduce any new evidence at this stage.
7. The Manager will present the Council's case including calling witnesses as necessary. Witnesses will appear one at a time and will only be present while they are giving evidence or being questioned.
8. The appellant and/or his/her representative may ask questions of the Manager and any witnesses. Members of the Appeals Sub-Committee and the advisors present may also ask questions relating to the evidence submitted to the hearing.
9. The Manager will be given the opportunity to re-examine his or her witnesses if this is necessary, but must not introduce any new evidence at this stage.
10. The Manager should then summarise the Council's case but should not include the introduction of any new evidence.
11. The appellant and/or his/her representative should then summarise the appellant's case but should not include the introduction of any new evidence.
12. Either party is entitled to request an adjournment at any stage in the proceedings to consider its position. The Chair will decide on such requests including the length of the adjournment.
13. All parties should withdraw from the room while the Appeals Sub-Committee considers the evidence and comes to a decision. The advisors and the Committee Administrator should remain in the room to give appropriate advice but will not be involved in the decision making.

14. If, as part of the deliberations, it is necessary to recall either party or any witnesses for further questioning then all parties must be present.
15. Where it is evident that further information is required before reaching a decision the appeal hearing should be adjourned with a view to being reconvened once the necessary information has been obtained.
16. Wherever possible, the decision should be communicated orally to both parties at the end of the hearing. If the Appeals Sub-Committee is likely to deliberate for some time this may not be possible and both parties will be informed of the decision as soon as practicable. This will be confirmed in writing within 5 working days of the hearing.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 6

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