

Employment Appeals Sub-Committee – Meeting held on Wednesday, 2nd September, 2009.

Present:- Councillors Dodds, Hewitt and Rasib.

PART I

7. Election of Chair

Resolved – That Councillor Dodds be elected Chair of the meeting.

(Councillor Dodds in the Chair)

8. Declarations of Interest

Councillor Dodds advised that she knew some of the officers involved in this case in her professional capacity as a Councillor but did not know any of them on a personal basis. She was advised that she did not need to declare this as a personal interest.

9. Minutes

The minutes of the meeting of the Sub-Committee held on 28th May, 2009 were approved as a correct record.

10. Employment Appeals Sub-Committee Procedure

The procedure was noted.

11. Exclusion of the Press and Public

Resolved – That the press and public be excluded from the remainder of the meeting as the business to be transacted contains 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).

12. Appeal Against Termination of Employment

The Sub-Committee had been convened to consider an appeal from an employee against the termination of her contract of employment with the authority on grounds of redundancy. The appellant was present and was accompanied by her Union representative. The management case was to be presented by the Strategic Director of Improvement and Development who was also present.

Employment Appeals Sub-Committee - 02.09.09

The Sub-Committee noted that one of the grounds of the appellant's appeal related to matters which had been raised under the Grievance Procedure and that this process had not yet been exhausted. The appellant and her representative advised that they wished these matters to be dealt with as part of the appeal before the Sub-Committee and had advised officers accordingly. Following careful consideration, the Sub-Committee took the view that it would be inappropriate for it to consider the matters relating to the grievance and that this should be considered separately as part of the Council's Grievance Procedure. Once that procedure had been completed, then the Sub-Committee could consider the grounds for the appeal against dismissal.

It was noted that the appellant had not lodged an appeal under Stage 2 of the Grievance Procedure within the necessary timescale but she was advised that provided such an appeal was received by 5 p.m. on 9th September, 2009 it would be considered.

Resolved – That the meeting be adjourned in order to enable the appellant to lodge an appeal under the Grievance Procedure and that, once that procedure is exhausted, the Sub-Committee reconvene to consider the appeal against dismissal on grounds of redundancy.

Chair

(Note: The Meeting opened at 10.00 a.m. and adjourned at 11.12 a.m.)