

# Public Document Pack

## APPEALS COMMITTEE

10.00 A.M.

27TH APRIL 2005

**PRESENT:-** Councillors Helen Helme (Vice-Chairman, in the Chair), Keith Budden, John Gilbert, Janet Horner and David Kerr, Anne Chapman and John Harrison

Apologies for Absence

Councillors Shirley Burns, Chris Coates and Sheila Denwood (Chairman)

In attendance

Appellant  
Richard Loder, Regional Officer for UNISON  
Suzanne Lodge, Head of Health and Strategic Housing

Officers in attendance:-

Mark Cullinan	Chief Executive
Katie Dunne	Principal Personnel Officer
Suzanne Trippier	Senior Democratic Support Officer

### 25 MINUTES

The Minutes of the meeting held on 6<sup>th</sup> April 2005, were signed by the Chairman as a correct record.

### 26 EXCLUSION OF THE PRESS AND PUBLIC

***Resolved:-***

That, in accordance with S100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the possible disclosure of exempt information as defined in paragraph 1 of Schedule 12A of that Act.

### 27 APPEAL AGAINST DISCIPLINARY SANCTION - POST NO.EH0130

The Chief Executive outlined that due to the number of joint witnesses, the most effective way for the Committee to deal with the Appeal, was to consider questions to witnesses from the Head of Health and Strategic Housing, the appellant and their representative and Members of the Committee at the same time. The appellant, their representative and the Head of Health and Strategic Housing joined the meeting.

The appellant confirmed the reasons for the appeal.

The Head of Health and Strategic Housing submitted the case on behalf of management. Two witnesses were invited to join the meeting. Each witness entered separately to present their witness statements. Questions were then invited and each witness then left. Councillor Kerr requested an adjournment for 5 minutes.

**(The Committee adjourned at 11.49 a.m.)**

**(The Committee reconvened at 11.54 a.m.)**

Two further witnesses were invited to join the meeting. Each witness entered separately to present their witness statements. Questions were then invited and each witness then left.

**(The Committee adjourned at 1.17 p.m. for lunch)**

**(The Committee reconvened at 1.55 p.m.)**

Another two witnesses were invited to join the meeting. Each witness entered separately to present their witness statements. Questions were then invited.

**(The Committee adjourned at 2.57 p.m. to consider the questions put forward to the witness.**

**(The Committee reconvened at 3.08 p.m.)**

The appellant, their representative and the Head of Health and Strategic Housing and witness rejoined the meeting. Questions to the witness continued. In order for Councillors to obtain further advice, the meeting adjourned.

**(The Committee adjourned at 3.19 p.m.)**

**(The Committee reconvened at 3.35 p.m.)**

The appellant, their representative and the Head of Health and Strategic Housing and witness rejoined the meeting. Questions to the witness continued and the witness then left. The Committee adjourned for 5 minutes.

**(The Committee adjourned at 3.49 p.m.)**

**(The Committee reconvened at 3.54 p.m.)**

A further two witnesses were invited to join the meeting. Each witness entered separately to present their witness statements. Questions were then invited and each witness then left.

**The Committee adjourned at 4.47 p.m. and agreed to reconvene on Wednesday, 4<sup>th</sup> May 2005 at 9.30 a.m. in Lancaster Town Hall.**

**The Committee reconvened at 9.30 a.m. on Wednesday, 4<sup>th</sup> May 2005.**

The appellant, their representative and the Head of Health and Strategic Housing joined the meeting. The Chairman welcomed everyone to the meeting. A witness was invited to join the meeting to present their witness statement. Questions were then invited and the witness then left.

**(The Committee adjourned at 9.49 a.m.)**

**(The Committee reconvened at 9.55 a.m.)**

The appellant and their representative were invited to present the case and questions were then invited.

**(The Committee adjourned at 12.55 p.m. for lunch)**

**(The Committee reconvened at 1.35 p.m.)**

Questions were invited to the Head of Health and Strategic Housing. The Head of Health and Strategic Housing and the representative for the appellant were invited to summarise their cases.

**(The appellant, their representative and the Head of Health and Strategic Housing were requested to leave the meeting at 2.15 p.m. whilst the Committee reached their decision.)**

**(The appellant, their representative and the Head of Health and Strategic Housing rejoined the meeting at 4.04 p.m.)**

***Resolved:-***

- 1) To agree not to uphold findings 1 and 2 as set out in the exempt minute.
- 2) To agree to uphold finding 3 as set out in the exempt minute. In addition, the Committee were also concerned about elements of the appellant's behaviour and felt that this fell short of the standards expected by the Council of its officers and agreed an appropriate sanction as set out in the exempt minute.

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Chairman

(The meeting ended at 4.09 p.m.)

**Any queries regarding these Minutes, please contact  
Suzanne Trippier, Administration Services - telephone (01524) 582074 or email  
smtrippier@lancaster.gov.uk**

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

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