

APPEALS COMMITTEE

2.00 P.M.

4TH MARCH, 2003

PRESENT:- Councillors David Barker (Chairman), J. Gilbert, J. Harrison (substitute for J. Horner), H. Helme, and J. E. Yates.

Officers in attendance:-

Head of Personnel Services
S. Jones – Administration Services

Apologies for absence:-

Councillors Emily Heath, J. Horner and G. K. Wilson

22 EXCLUSION OF 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.

23 GRIEVANCE APPEAL

The Committee considered a grievance appeal in accordance with the Council's Grievance and Disputes Procedure.

The Committee heard evidence presented by the appellant's union representative, Mr. Peter Johnson, who called the appellant as a witness, together with Mr. P. Parker.

The meeting was adjourned at 3.23 p.m.

The meeting was reconvened at 3.30 p.m.

The Committee then heard evidence from the Corporate Director (Central Services), who presented the case on behalf of management, together with the evidence of one witness, the Corporate Director (Community Services).

The Committee retired at 4.28 p.m. to consider the evidence.

Resolved:-

Members of the Committee listened carefully to all the evidence submitted and found as follows:-

That in the opinion of members of the Appeals Committee, it does not necessarily follow though, that the Investigating Officer failed to ascertain the truth of the matter. The Appeals Committee did not find that the Investigating Officer demonstrated a lack of diligence in completing the report. Members formed a view that the investigation was sufficiently thorough so as to enable the Investigating Officer to reach a balanced judgement in relation to which the appellant had complained. The Appeals Committee did not feel that the integrity

of the report was compromised by the Investigating Officer's failure to interview an additional witness after the appellant had requested him to do so, once the appellant had seen a copy of the report.

Accordingly, in these respects, the Committee decided that the appeal should not be upheld.

On balance, however, Members formed the view that the appellant had experienced poor management practice during a period of massive change for the Service rather than was subjected to a campaign of harassment that was a result of deliberate acts or omissions on the part of any individual.

In deciding not to uphold the grievance in respect of the claim of harassment, Members were nevertheless keen to try to assist in resolving the matters identified and in reaching their decision, the Appeals Committee also recommended that a number of arrangements be put into place in order to address the issues raised by the appellant.

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Chairman

(The meeting ended at 5.20 p.m.)

**Any queries regarding these Minutes, please contact
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or alternatively email SJones@lancaster.gov.uk**