

## APPEALS COMMITTEE

2.00 P.M.

20<sup>th</sup> MAY 2004

**PRESENT:-** Councillors S. Denwood (Chairman). S. Burns, J. Gilbert, J. Harrison (Substitute for Councillor J. Horner) and H. R. Helme and

Also in Attendance

Chief Revenues Officer  
Neil Marsdin - UNISON

Officers in Attendance

Head of Personnel Services  
J. Doble - Principal Democratic Support Officer

Apologies

Cllr J. Horner, C. Coates and D. Kerr

### 1 MINUTES

The Minutes of the meeting held on 18<sup>th</sup> March, 2003 were signed by the Chairman as a correct record.

### 2 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.

### 3 GRIEVANCE APPEAL (STAGE 3) – REVENUES SERVICES – PROCEDURAL MATTERS

The Head of Personnel Services outlined that there had been developments, which she needed to inform the Committee of prior to the appeal and the Committee asked both the Chief Revenues Officer and Neil Marsdin to retire at this time.

The Head of Personnel Services outlined to Councillors that in the 24 hours preceding the meeting correspondence had been received from the appellant stating that neither they nor their Union Representative would be present due to other unrelated personnel issues that meant they did not feel the appeal could be considered at this time. The Head of Personnel Services circulated to the Committee copies of recent correspondence between the appellant's representative and the Council and an e-mail message from the appellant. The Head of Personnel Services advised the Committee to the effect that it was a matter for the Committee to consider in the first instance whether or not the appeal should proceed to a hearing in the absence of the appellant. The Head of Personnel Services also confirmed to members of the Committee that both the appellant and his representative had been advised that the Committee would consider at the meeting whether or not to proceed in the appellants absence in the event that he did not attend and that to proceed to a hearing in his absence was an option available to them.

**The meeting adjourned at 2.20 p.m. and re-convened at 2.30 p.m and the Chief Revenues Officer and Neil Marsdin were readmitted to the meeting.**

Neil Marsdin (UNISON) made the case for deferral, highlighting the case as set out in the letter from the appellant that had been circulated, in doing so he highlighted that he was not

the appellants union representative and although Chair of the local UNISON branch felt unable to represent the appellant at the meeting in the event that the Committee resolved to proceed.

The Chief Revenues Officer made the case that the appeal and the other personnel issue that had been drawn to the attention of the Committee by the appellant were unrelated and that in his opinion it was important for all parties to move to a resolution to this outstanding grievance as soon as possible.

The Chief Revenues Officer and Neil Marsdin retired at this point, whilst the Committee considered their decision.

It was moved by Councillor Harrison and seconded by Councillor Burns: -

“That the appeal be heard”.

Upon being put to the vote, Members voted 3 in favour of the proposal, 1 against and 1 abstention, whereupon the Chairman declared the proposal to be carried.

**The Head of Revenue Services and Neil Marsdin were readmitted to the meeting and were formally advised of the Committee’s decision.**

The Head of Personnel Services, although Mr Marsdin had indicated that he was unable to represent the appellant in this matter, asked if he wished to remain as an observer, however he declined to stay and left the meeting at 2.50 p.m

**Resolved : -**

That the appeal be heard

#### **4 GRIEVANCE APPEAL (STAGE 3) – REVENUES SERVICES - HEARING**

In the absence of the appellant, the Chief Revenues Officer made the case to justify his earlier decisions in respect of the grievance and, in the process, received and answered a number of questions from Councillors.

The Committee also received advice from the Head of Personnel Services on a number of issues in response to their questions.

The Chief Revenues Officer left the meeting and the Committee retired to consider the evidence.

After a lengthy discussion, the Committee reached their decision.

**Resolved: -**

- (1) That the grievance should not be upheld.
- (2) That Personnel Committee be asked to consider proposals to extend the provisions of the Family Support Leave Scheme in respect of additional time off with pay to accompany dependants (as defined in policy) for the purpose of attending serious and traumatic medical appointments and treatment

.....  
Chairman

(The meeting ended at 4. 07 p.m.)

***Any queries regarding these Minutes  
please contact James Doble, Principal Democratic Support Officer, Administration Services  
on 01524 582057, or alternatively email [jdoble@lancaster.gov.uk](mailto:jdoble@lancaster.gov.uk)***