

PERSONNEL COMMITTEE

9.30 A.M.

30TH MAY 2012

PRESENT:- Councillors Paul Gardner (Chairman), Shirley Burns, Melanie Forrest, Billy Hill (substitute for Alycia James), Sylvia Rogerson and Roger Sherlock (substitute for Jonathan Dixon)

Apologies for Absence

Councillors Jonathan Dixon, Alycia James, David Smith

Officers in attendance:-

Stuart Hampson

Human Resources Manager

Peter Baines

Senior Democratic Support Officer

1 APPOINTMENT OF VICE-CHAIRMAN

Resolved:

That Councillor Alycia James be appointed Vice-Chair of the Committee for the 2012/13 municipal year.

2 MINUTES

The minutes of the previous meeting, held 10th April 2012, were approved as a correct record.

3 DECLARATIONS OF INTEREST

Councillor Burns declared a personal interest in item six. The nature of the interest was that the appellant was known to Councillor Burns by sight.

4 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

5 EXCLUSION OF THE PRESS AND PUBLIC

Resolved:

That in accordance with Section 100A (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 could involve the possible disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of that Act.

6 APPEAL AGAINST DISMISSAL

The Committee considered an appeal against dismissal.

The Head of Environmental Services presented the case for dismissal, assisted by a Human Resources Officer. This was followed by questions from the Committee, the

appellant and their Trades Union representative.

The Committee subsequently heard evidence presented by the appellant, who was represented by a Trades Union officer, followed by questions from the Committee and the Head of Environmental Services.

Neither party called a witness.

The Head of Environmental Services and the appellant were invited to summarise their cases.

(The appellant, their representative, the Head of Environmental Services and the Human Resources Officer were requested to leave the meeting at 11:30am. The Committee then adjourned, reconvening at 1:00pm, to reach its decision. At this juncture, the appellant, their representative, the Head of Environmental Services and the Human Resources Officer were recalled to the hearing. The findings of the Committee were read out.)

The Chairman thanked both parties for their presentations and for the information provided to the Committee to assist them with the hearing.

The Committee, having carefully considered all the evidence submitted, found as follows:

Resolved:

That the Committee would uphold the decision to dismiss the appellant.

However, as the appellant's actions did not amount to an act of gross misconduct, the Committee stipulated that the appellant's dismissal should have been with notice, and not summary dismissal, and therefore directed officers to make a payment to the appellant in lieu of notice and untaken accredited annual leave.

Chairman

(The meeting ended at 1:05pm)

**Any queries regarding these Minutes, please contact
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