

PERSONNEL COMMITTEE

2.00 P.M.

11TH MAY 2016

PRESENT:- Councillors Lucy Atkinson (Vice-Chairman in the Chair), Alan Biddulph, Carla Brayshaw (substitute for Ronnie Kershaw), Caroline Jackson, Margaret Pattison (substitute for David Smith), Jane Parkinson and Sylvia Rogerson

Apologies for Absence:-

Councillors Ronnie Kershaw and David Smith

Officers in attendance:-

Angela Jackson	HR Service Manager
Stephen Metcalfe	Principal Democratic Support Officer

36 MINUTES

The minutes of the previous meeting held on 2nd February, 2016 were approved as a correct record.

37 DECLARATIONS OF INTEREST

There were no declarations of interest.

38 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

The meeting adjourned at 2.05p.m. and re-convened at 3.00p.m.

39 EXCLUSION OF THE PRESS AND PUBLIC

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.

40 APPEAL AGAINST DISMISSAL

Members considered an appeal against dismissal. The Chairman outlined the procedure that the meeting would follow.

The Chief Officer (Health and Housing), as the Management Respondent, assisted by a HR Partner presented the case for dismissal. At 3.22p.m. the Chief Officer (Health and Housing) called upon the Investigating Officer, who was assisted by a HR Partner, to inform of his investigations to the Hearing. The Appellant and their trade union representative were given the opportunity to question the Chief Officer (Health and Housing) and the HR Partner, the Investigating Officer and the HR Partner who had

assisted with the investigation. The Chief Officer (Health and Housing), the HR Partner, the Investigating Officer and the HR Partner who had assisted with the investigation, were then questioned by Members of the Committee and the Advisor to the Committee (HR Service Manager).

The Investigating Officer and the HR Partner who had assisted with the investigation left the meeting at 4.15p.m.

The Appellant subsequently gave evidence assisted by their trade union representative. The Chief Officer (Health and Housing) and HR Partner were given the opportunity to question the Appellant and their trade union representative followed by questions by Members of the Committee and the Advisor to the Committee (HR Service Manager).

Both parties were invited to summarise their cases, the Appellant having the last word.

(The Appellant, their trade union representative, the Chief Officer (Health and Housing) and the HR Partner were requested to leave the meeting at 5.25p.m. The Committee then adjourned to reach its decision, with the HR Service Manager and the Principal Democratic Support Officer present to assist the Councillors in formulating their decision. At 5.50p.m., the Appellant, their trade union representative, the Chief Officer (Health and Housing) and the HR Partner were recalled to the meeting.)

The Chairman thanked both parties for their presentations and the information provided.

Resolved:

After listening to presentations from both sides, the Personnel Committee reached the view that the Appeal hearing should be adjourned to allow the Investigating Officer to obtain further relevant evidence and greater clarity, so that the Committee would be in a better position to review the original decision of the Hearing Officer.

The meeting adjourned at 5.54p.m. and re-convened at 2.30p.m. on Tuesday, 5th July 2016.

The Chairman, at the re-commencement of the meeting, advised that this was not a re-hearing but a continuation of the hearing commenced and adjourned on 11th May 2016. The Appellant, trade union representative, Chief Officer (Health and Housing), Members of the Committee and other officers in attendance had been provided with a supplemental bundle containing further relevant evidence and greater clarity that had been requested on 11th May 2016.

The Chief Officer (Health and Housing), as the Management Respondent, assisted by a HR Partner presented the case for dismissal. At 2.41p.m. the Chief Officer (Health and Housing) called upon the Investigating Officer, who was assisted by a HR Partner, to inform of his investigations to the Hearing. The Appellant and their trade union representative were given the opportunity to question the Chief Officer (Health and Housing) and the HR Partner, the Investigating Officer and the HR Partner, who had assisted with the investigation. The Chief Officer (Health and Housing), the HR Partner, the Investigating Officer and the HR Partner, who had assisted with the investigation, were then questioned by Members of the Committee and the Advisor to the Committee (HR Service Manager).

The Investigating Officer and the HR Partner, who had assisted with the investigation, left the meeting at 4.15p.m.

The Appellant subsequently gave evidence, assisted by their trade union representative. The Chief Officer (Health and Housing) and HR Partner were given the opportunity to question the Appellant and their trade union representative followed by questions by Members of the Committee and the Advisor to the Committee (HR Services Manager).

Both parties were invited to summarise their cases, the Appellant having the last word.

(The Appellant, their trade union representative, the Chief Officer (Health and Housing) and the HR Partner were requested to leave the meeting at 4.52p.m. The Committee then adjourned to reach its decision, with the HR Service Manager and the Principal Democratic Support Officer present to assist the Councillors in formulating their decision. At 5.20p.m., the Appellant, their trade union representative, the Chief Officer (Health and Housing) and the HR Partner were recalled to the meeting.)

The Chairman thanked both parties for their presentations and the information provided.

Resolved:

After careful consideration of both sides and of the verbal presentations and information provided in the bundles, the Committee resolved to uphold the management's decision to dismiss the Appellant without notice.

Chairman

The reconvened meeting finished at 5.21p.m. on Tuesday, 5th July 2016.

**Any queries regarding these Minutes, please contact
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