

Notice of a public meeting of

Corporate Appeals Panel

To: Councillors Cuthbertson, Pavlovic and Kent

Date: Friday, 14 February 2025

Time: 10.30 am

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

1. Apologies for Absence

To receive and note apologies for absence.

2. Election of Chair

To elect a Member to act as Chair of the meeting.

3. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of agenda item 6 (Appeal against Dismissal) on the grounds that it contains information relating to an individual and information which is likely to reveal the identity of an individual. This information is classified as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

4. Declarations of Interest

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the

Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

- (1) *Members must consider their interests, and act according to the following:*

Type of Interest

You must:

*Disclosable
Pecuniary Interests*

Disclose the interest; not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

*Other Registrable
Interests (Directly
Related)*

OR

*Non-Registrable
Interests (Directly
Related)*

Disclose the interest; speak on the item only if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

*Other Registrable
Interests (Affects)*

OR

*Non-Registrable
Interests (Affects)*

Disclose the interest; remain in the meeting, participate, and vote unless the matter affects the financial interest or well-being:

(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward; and

(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest,

in which case speak on the item only if the public are also allowed to speak, but otherwise not do not participate in the discussion or vote, and leave the meeting, unless you have a dispensation.

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*

- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

5. Minutes (Pages 5 - 6)

To approve and sign the minutes of the meeting held on 14 June 2024.

6. Appeal against Dismissal (Pages 7 - 12)

To consider an appeal against dismissal under the City of York Council's Disciplinary Policy and Procedure.

a) Appellant's Case (Pages 13 - 32)

Papers in support of the appellant's case.

b) Management Case (Pages 33 - 990)

Papers in support of management's case.

Democracy Officer:

Name: James Parker

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- E-mail – james.parker@york.gov.uk

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We can also translate into the following languages:

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim
własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

City of York Council

Minutes

Meeting	Corporate Appeals Panel
Date	14 June 2024
Present	Councillors Cuthbertson, Kent and Fenton
Apologies	Councillor Pavlovic

1. Election of Chair (10:33 am)

Resolved: That Councillor Cuthbertson be elected as Chair of the meeting.

2. Exclusion of Press and Public (10:35 am)

Resolved: That the press and public be excluded from the meeting during consideration of Agenda Item 5 (Appeal Against Dismissal), on the grounds that it included information relating to an individual and information which was likely to reveal the identity of an individual. This information was classed as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as revised by the Local Government (Access to Information) (Variation) Order 2006.

3. Declarations of Interest (10:37 am)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registerable interests that they might have in the business on the agenda if they had not already done so in advance on the Register of Interests.

Cllr Kent declared, for the sake of transparency, that as the Executive Member for Environment and Climate Emergency, she'd had no operational involvement in the appellant's work.

4. Minutes (10:39 am)

Resolved: That the minutes of the meeting held on 12 January 2024 be approved and signed by the Chair as a correct record.

5. Appeal against Dismissal (10:40 am)

The Panel considered an appeal against dismissal under the City of York Council's Attendance Management Policy and Procedure.

Having considered the cases presented by the appellant and management and reviewed the information provided in some detail, the Panel determined the outcome of the case relating to the appellant.

Resolved: That the appeal was now concluded and there was no further right of appeal.

Reason: To ensure the Panel meets its procedural requirements in determining appeals.

Cllr Cuthbertson, Chair

[The meeting started at 10.33 am and finished at 12.43 pm.]

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of the Local Government Act 1972.

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