

---

Meeting	Corporate Appeals Panel
Date	21 August 2014
Present	Councillors Fraser, Horton and Galvin

---

## **18. Election of Chair**

Resolved: That Councillor Fraser be elected to Chair the meeting

## **19. Exclusion of Press and Public**

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 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 revised by the Local Government (Access to Information) (Variation) Order 2006.

## **20. Declarations of Interest**

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which they may have in respect of business on this agenda. Councillor Fraser declared a personal interest as a retired member of UNISON and Unite (TGWU/ACTS sections).

## **21. Minutes**

Resolved:

- (i) That the minutes of the following meetings of the Corporate Appeal Panel be approved and signed by the chair as a correct record.
- 9 May 2014
  - 23 May 2014
  - 27 June 2014

- 2 July 2014
  - 11 July 2014
- (ii) That in relation to a previous appeal determined by the Corporate Appeals Panel on 24<sup>th</sup> July 2014, Members agreed to recommend to management that a collective joint dispute procedure be put in place.

## **22. Appeal against Dismissal**

The Panel considered an appeal against dismissal on the grounds of compulsory redundancy under the Council's Supporting Transformation (Management of Change) Policy resulting from the decision to delete the appellant's post as part of a service wide restructure.

The hearing was attended by the Assistant Director, Housing and Community Safety, who presented the management case and an HR Business Partner advising management. The appellant was in attendance at the hearing and was represented by the UNISON General Convenor and Equalities Officer. An HR Business Partner was also in attendance to provide HR advice to the Panel.

The Panel considered all the evidence provided in the agenda papers and verbally at the hearing by both parties, including two pieces of additional information which were presented at the meeting, one in support of management's case and one in support of the appellant's case. No witnesses were called.

The Panel noted that the decision to restructure was due to legitimate business reasons and the scope of the restructure was justified. They agreed that the post had legitimately been declared redundant. The Panel however recommended that continued efforts should be made by management to seek further suitable alternative employment, with reasonable adjustments if necessary, during the remainder of the appellant's notice period.

Resolved: That the appeal not be upheld.

Reason: The Panel agreed that the council's Supporting Transformation (Management of Change) Policy had been correctly followed throughout the process.

Councillor Fraser, Chair

[The meeting started at 10.00 am and finished at 6.00 pm].