

Meeting	Corporate Appeals Panel
Date	7 August 2015
Present	Councillors Galvin, Wells and Gillies

6. Election of Chair

Resolved: That Councillor Galvin be elected to chair the meeting.

7. 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.

8. 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 disclosable pecuniary interests which they may have in respect of the business on the agenda. None were declared.

9. Minutes

Resolved: That the minutes of the meeting of the Corporate Appeal Panel held on 5 June 2015 be approved and signed by the chair as a correct record.

10. 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 following a restructure of the management of Waste Services.

At their last meeting on 5 June 2015, the Panel had considered an appeal by the same appellant. At that meeting they had concluded that the evidence which had been put before them should have been put before the hearing manager at the dismissal hearing stage. They had agreed that they could not reasonably hear the appeal and that the original dismissal hearing should be reconvened to ensure that all the relevant mitigation could be considered by the appropriate chief officer. At the reconvened dismissal hearing, the decision was taken to dismiss the appellant and the appellant subsequently submitted a further appeal which was considered at this meeting.

The hearing was attended by the Assistant Director, Communities, Culture and Public Realm, who presented the management case and an HR Business Partner advising management. The appellant was in attendance at the hearing and was accompanied by his Unison representative. 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. Having considered all the available information, the Panel found no evidence to support any of the grounds for appeal. They felt that the appellant had been correctly included in the scope of the restructure and noted that management had consulted properly and had reasonably considered alternative options. They also felt that the selection process had been carried out appropriately and fairly and that the council had made every reasonable effort to mitigate the redundancy.

Resolved: That the appeal not be upheld.

Reason: The Panel felt that the decision taken by management to dismiss the appellant was fair and reasonable in all the circumstances of the case and in accordance with the Council's Supporting Transformation (Management of Change) Policy.

Councillor J Galvin, Chair

[The meeting started at 10.00 am and finished at 11.30 am].