

Meeting Corporate Appeals Panel

Date 20 October 2017

Present Councillors Galvin, Gillies (Chair) and Reid

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## **6. Election of Chair**

Resolved: That Councillor Gillies 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 held on 14 July 2017 be approved as a correct record and then signed by the Chair.

## 10. Appeal against Dismissal

The Panel considered an appeal against dismissal under the City of York Council's Disciplinary Procedure.

The hearing was attended by the Hearing Manager who presented the management case and an HR Advisor advising management. The appellant was in attendance at the hearing and was accompanied by their union 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 acknowledged that one allegation of gross misconduct had not been proven and dismissed this but agreed that the remaining allegations were serious enough to constitute Gross Misconduct. Having considered the mitigation presented on the appellant's behalf, the Panel did not feel that there was sufficient mitigation to lessen the normal sanction of dismissal.

Resolved: That the appeal **not** be upheld.

Reason: The Panel felt that the decision taken by management to dismiss the appellant was reasonable, proportionate and appropriate given all the circumstances of the case.

Councillor I Gillies, Chair

[The meeting started at 10:00am and finished at 11.30am]