

APPEALS AGAINST DISMISSAL COMMITTEE

Minutes of a meeting held at the Brooks Room, Narborough

TUESDAY, 24 OCTOBER 2006

Present:-

Cllr. Cllr. G. Sanders (Chairman)

Cllr. R.S. Dixon
Cllr. D. Jennings

Cllr. D. Pollard
Cllr. A.C. Tanner

Officers present:-

Mr J.L. Holden	- Strategic Director and Deputy Chief Executive
Mrs K. Johnston	- Head of Administration & Legal Services
Mrs D. Johnson	- Democratic Services Officer

The Appellant in person

Also in attendance – Mr T Williams – Regional Organiser, Unison - Appellant's Representative

The Council's Representatives

Mr S Beard – Strategic Director
Mrs. S. Jumbu –Interim Manager HR (Operations)

Consultant

Mrs. S. Maher – Local Government East Midlands

Witnesses for the Council

Mrs D Dawson – Operations Manager
Mr T Moreton – Housing Maintenance Team Leader

239. DISCLOSURES OF INTERESTS FROM MEMBERS

No disclosures were received.

240. EXEMPT INFORMATION

DECISION

That under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business, on the grounds that the item involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

Exemption Category: 1 and 2

Reason for Exemption: the report contains personal information about an individual member of staff and a member of the public.

Public Interest Test: The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information contained in the report.

241. DISMISSAL APPEAL HEARING

ADJOURNMENT

The meeting was adjourned for 10 minutes.

THE COUNCIL'S CASE

The Council's Representative presented the Management Statement of Case.

Members of the Committee asked questions of the Council's Representatives.

ADJOURNMENT

The meeting was adjourned for 10 minutes.

CONTINUATION OF THE COUNCIL'S CASE

The Council's first witness answered questions from the Council's Representative, the Appellant's Representative and Members of the Committee.

The Council's second witness answered questions from the Council's Representative, the Appellant's Representative.

ADJOURNMENT

The meeting was adjourned for 5 minutes.

CONTINUATION OF THE COUNCIL'S CASE

The Council's second witness then answered further questions from the Council's Representative and the Appellant's Representative.

APPELLANT'S CASE

The Appellant's Representative presented the Appellant's appeal.

Members of the Committee asked questions of the Appellant's Representative and the Appellant.

CLOSING STATEMENT

Closing statements were made by the Council's Representative, and the Appellant's Representative.

The Appellant, the Appellant's Representative and the Council's

Representatives withdrew from the meeting.

The Committee retired to consider the Appeal Decision.

DECISION

Having weighed up the evidence and submissions, the Committee made its decision.

DECISION

(1) That the appeal is dismissed.

(2) The reasons for the Committee's decision are as follows:-

The grounds of appeal have been adequately responded to by management from the evidence provided, the Management case has established that on the balance of probabilities that the alleged incidents took place and the decision to dismiss was reasonable.

242. ANNOUNCEMENT OF DECISION

The Chairman asked for both parties to be invited back to the meeting to hear the decision.

The Appellant and the Appellant's Representative returned to the meeting.

The Chairman of the Appeals Against Dismissal Committee announced the decision of the Committee.

THE MEETING CONCLUDED AT 3.25 P.M.