

APPEALS AND COMPLAINTS COMMITTEE

19 February 2016

Present: Councillor Cath Davis (Chair)
Councillors P Earley John Hunter
and J O'Shea

AQ25/02/16 Apologies

Apologies were received from Councillor D Lilly.

AQ26/02/16 Declarations of Interest

There were no declarations of interest reported.

AQ27/02/16 Exclusion Resolution

RESOLVED that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part Two of Schedule 12A of the Act the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part One of Schedule 12A of the Act.

AQ28/02/16 Appeal against Dismissal – Mr H

The Committee met to consider an appeal lodged by Mr H against the decision of the Disciplinary Hearing that took place on 16 December 2015.

Mr H was in attendance and accompanied by his Union representative at the appeal hearing to present his case.

At this point in proceedings all parties were advised that of the 3 allegations investigated at the disciplinary hearing one allegation was not proven and would not be considered at the meeting. All parties were informed that documentation provided contained all the information considered at the disciplinary hearing to provide context to how all the allegations came to management's attention. The Committee was asked to consider if the remaining 2 allegations and determine if these were proven and if so the appropriate sanction was given.

A representative from the Council's Adult Social Care Service set out the background to the case and the reasons for the decision to terminate Mr H's contract of employment as a Support Officer with the Council.

Mr H, his union representative and Members of the Committee then were given an opportunity to ask questions of the Service's representative.

The Committee then heard representations from Mr H's representative.

Appeals and Complaints

The representative of the Adult Social Care Service, the Human Resources Advisor and Members of the Committee then were given an opportunity to ask questions of Mr H.

Both parties were given the opportunity to sum up their cases and then withdrew from the meeting to allow the Committee to consider and make a decision.

RESOLVED that (a) the appeal against the decision of the Disciplinary Hearing to terminate Mr H's contract as Support Worker Member be rejected; (b) all necessary training be provided to employees within Adult Social Care , Care Call team on Equality & Diversity and Staff Equality (c) the workforce be reminded of the action that can be taken if breaches of the Employee Code of Conduct are proven.