

EMPLOYMENT APPEALS COMMITTEE

Meeting: 18 January 2006
At: 9.30 am

PRESENT

Councillors Roy Weaver, Mike Wilson and Peter Scott.

1. ELECTION OF CHAIR

RESOLVED - That Councillor Mike Wilson be elected Chair for the duration of this meeting.

Councillor Mike Wilson in the Chair

2. DECLARATIONS OF INTEREST

No declarations were made.

3. PUBLIC QUESTION TIME

No public questions were submitted.

4. EXCLUSION OF THE PUBLIC

RESOLVED - That in order to prevent the disclosure of information not for publication relating to a particular employee, former employee or applicant to become an employee or a particular office holder, former office holder or an applicant to become an office holder under the Council, the public be excluded from the meeting during consideration of agenda item 4 (See Minute 5 below).

Item not for publication

5. APPEAL A221

The Committee considered an appeal against dismissal from an employee of the Children & Young People's Directorate. The employee, her representative and four witnesses attended the meeting and presented her case.

It was then

RESOLVED - (1) That after consideration of all the evidence submitted to the Committee, it was not felt, on balance, that the penalty of dismissal imposed by Management had been fair. The Committee agreed that the behaviour exhibited by the Appellant had been wholly unacceptable and could not be tolerated, but it was considered that there had been health problems that remained to be resolved which had affected the Appellant's behaviour at this time.

The Committee could not, at this stage, determine the penalty that should be substituted as an alternative to dismissal, although the Committee felt that demotion, redeployment or a final written warning may have been more appropriate in the

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circumstances. The Committee considered that assessments needed to be undertaken by both Occupational Health and the Appellant's own doctor to assess if any changes would be required to affect a return to work, and that Management be instructed to resolve the current situation to the satisfaction of all parties.

(2) That should the matter be not capable of resolution by Management and the Appellant within three months, that the Chief Executive be requested to convene a further meeting of the Committee to resolve the issue.

The meeting closed at 12.40 pm.

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