

## **EMPLOYMENT APPEALS COMMITTEE**

Meeting: 21 September 2005  
At: 9.00 am

PRESENT

Councillors Brendon Jones (Chair) in the chair; Councillors Christine Corris and Maureen Rowles.

### **1. DECLARATIONS OF INTEREST**

Councillors and officers were invited to declare any interests which they may have in any of the items on the agenda for this meeting.

Councillor Rowles declared an interest in respect of agenda item 4 as a resident of the Brinnington area of the borough in which the appellant lived and was employed, she however confirmed that she had no personal knowledge of, or involvement with the appellant.

### **2. PUBLIC QUESTION TIME**

No public questions were asked.

### **3. 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RESOLVED - That in order to prevent the disclosure of information not for publication relating to a particular employee, former employee or applicant to become an employee or a particular office holder, former office holder or an applicant to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.

Item not for publication

### **4. APPEAL A214**

The Committee considered an appeal against dismissal from an employee of Adults & Communities Directorate. The employee and her representative attended the meeting and presented her case.

The Committee considered all the documentation and heard the information and evidence provided to them at the meeting.

It was then

RESOLVED - (1) That in respect of the four allegations made against the Appellant:-

## Employment Appeals Committee - 21 September 2005

### (i) Removal of Meals

The Committee considered that meals were removed inappropriately from the service user and were concerned as to the impact of such an action on the service user's medical condition.

### (ii) Prevention of a Service User from Participating in Social Activities

The Committee considered that the cancellation of the outing scheduled to be undertaken with a representative of Stockport Cerebral Palsy was made solely as a means of disciplining the service user for his behaviour, and not for health or other reasons as given by the Appellant. Such disciplining is deemed unacceptable.

### (iii) Causing Unnecessary Financial Loss

The Committee did not consider that there was any intention on the part of the Appellant to cause financial loss.

### (iv) Raising of Voice and Verbal Abuse

The Committee did not consider that the Appellant had verbally abused the service user, but that she had inappropriately raised her voice on occasions.

The Committee considered that the behaviour exhibited by the Appellant toward the service user was abusive, and therefore the action of management to dismiss the Appellant was reasonable in the circumstances.

(2) The Committee heard complaints about the process followed by management and considered that the delay in providing a detailed reason for dismissal in this case was unsatisfactory and should not happen again. While such delays were not considered by the Committee to outweigh the seriousness of the Appellant's behaviour, the Committee emphasised the need for management to follow procedures on a timely basis in the future.

The meeting closed at 2.20 pm.