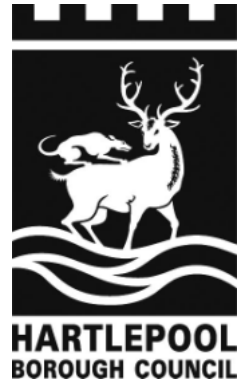


GENERAL PURPOSES (APPEALS & STAFFING) COMMITTEE AGENDA



Wednesday 30 March 2011

at 9.30 am

in Committee Room C

MEMBERS: GENERAL PURPOSES (APPEALS & STAFFING) COMMITTEE:

Councillors Aiken, C Akers-Belcher, Fleet and Wells
Councillor Brash, Portfolio Holder for Performance

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 6 January 2011.
 - 3.2 To confirm the minutes of the meeting held on 11 February 2011.
- 4. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006

5. ITEMS REQUIRING DECISION

5.1 Appeal Against Redundancy Dismissal (JS) (para 1) – *Chief Customer and Workforce Services Officer*

- (a) Management Statement of Case
- (b) Appellant Statement of Case

6. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

**GENERAL PURPOSES
(APPEALS AND STAFFING) COMMITTEE
MINUTES AND DECISION RECORD
6 January 2011**

The meeting commenced at 11.30 am in the Civic Centre, Hartlepool

Present:

Councillor: Martyn Aiken (In the Chair)

Councillors: Bob Flintoff, Marjorie James, Chris Simmons and Ray Wells.
Gerard Hall, Portfolio Holder for Adult and Public Health

Officers: Paul Walker, Chief Executive
Joanne Machers, Chief Customer and Workforce Services Officer
Angela Hunter, Principal Democratic Services Officer

34. Apologies for Absence

None.

35. Declarations of interest by Members

None.

36. Confirmation of the minutes of the meeting held on 9 November 2010

Confirmed.

37. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 38 – Application for Early Retirement Linked to Voluntary Redundancy Efficiency - This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any

individual – Para 1.

Minute 39 – Review of Process in Relation to Redundancy Dismissal Appeal GT - This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

- 38. Application for Early Retirement Linked to Voluntary Redundancy Efficiency** (*Chief Customer and Workforce Services Officer*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Members considered applications for early retirement received from Chief Officers linked to voluntary redundancy and efficiency.

Decision

Details can be found in the confidential section of the minutes.

- 39. Review of Process in Relation to Redundancy Dismissal Appeal** (*Chief Executive*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Members considered the report of the Chief Executive with regard to the process followed in relation to a redundancy dismissal appeal.

Decision

Details can be found in the confidential section of the minutes.

The meeting concluded at 12.42 pm

CHAIR

**GENERAL PURPOSES
(APPEALS AND STAFFING) COMMITTEE
MINUTES AND DECISION RECORD
11 February 2011**

The meeting commenced at 9.30 am in the Civic Centre, Hartlepool

Present:

Angela Hunter, Principal Democratic Services Officer

40. Adjournment of Meeting

In view of unforeseen circumstances after the statutory notice for the meeting had been given, the Chairman had determined prior to the meeting that the meeting be adjourned and reconvened at 11.30 am on 11 February 2011 and as such Members had been advised accordingly.

**Upon being reconvened on 11 February 2011
at 11.30 am in the Civic Centre, Hartlepool, the following were present:**

Present:

Councillor: Marjorie James (In the Chair)

Councillors: Christopher Akers-Belcher, Mary Fleet, Ray Wells

Officers: Joanne Machers, Chief Customer and Workforce Services Officer
Chris Pendlington, Senior HR Business Officer
Angela Hunter, Principal Democratic Services Officer

41. Apologies for Absence

Apologies for absence were received from Councillor Hilary Thompson.

42. Declarations of interest by Members

None.

43. Minutes of the meeting held on 6 January 2011

A discussion ensued on the format of the minutes and it was suggested that the recommendations of the report have the amendments agreed by the Committee incorporated for ease of reference. The minutes were deferred to the next meeting of the General Purposes (Appeals and Staffing) Committee.

44. Local Government (Access to Information) (Variation) Order 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 45 – Application for Voluntary Redundancy with Early Release of Pension (JW) - This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Minute 46 – Request for Payment of Deferred Pensions Benefits (GB) - This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Minute 47 – Request for Payment of Deferred Pension Benefits (JB) - This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

45. Application for Voluntary Redundancy with Early Release of Pension (JW) (*Chief Customer and Workforce Services Officer*)) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Members considered an application for voluntary redundancy with early release of pension for an employee whose post had been identified as redundant. Further details were included within the confidential section of the minutes.

Decision

Details were included within the confidential section of the minutes.

- 46. Request for Payment of Deferred Pension Benefits (GB)**
(*Chief Customer and Workforce Services Officer*)) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Members considered an application from a former employee for the early payment of their pension on compassionate grounds. Further details were included within the confidential section of the minutes.

Decision

Details were included within the confidential section of the minutes.

- 47. Request for Payment of Deferred Pension Benefits (JB)**
(*Chief Customer and Workforce Services Officer*)) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information relating to any individual – Para 1.

Members considered an application from a former employee for the early payment of their pension on compassionate grounds. Further details were included within the confidential section of the minutes.

Decision

Details were included within the confidential section of the minutes.

The meeting concluded at 11.52 am

CHAIR

Guide to the format of the Hearing

The procedure will be as follows: -

Management Case

1. The management representative and/or Workforce Services representative shall state the case.
2. The management representative and/or Workforce Services representative may call witnesses and the procedure for questioning each witness shall be:
 - Management and/or Workforce Services representative to question
 - Employee and/or representative to question
 - Each Member of the Committee and the Chief Customer and Workforce Services Officer or representative to be invited to ask any questions
 - Management and/or Workforce Services representative to re-examine
 - Witness to retire
3. The employee or representative may ask questions of the management representative and/or Workforce Services representative.
4. The Committee Members and the Chief Customer and Workforce Services Officer or representative may ask questions of the management representatives and/or Workforce Services representative.

Employee Case / Response

5. The employee or representative shall state the case.
6. The employee or representative may call witnesses and the procedure for questioning each witness shall be:
 - Employee and/or representative to question.
 - Management representative and/or Workforce Services representative to question.
 - Each Member of the Committee and the Chief Customer and Workforce Services Officer or representative to be invited to ask any questions.
 - Employee and/or representative to re-examine.
 - Witness to retire
7. The management representative and/or Workforce Services representative may ask questions of the employee.
8. The Committee Members and the Chief Customer and Workforce Services Officer or representative may ask questions of the employee and/or representative.

Summing Up

9. The management representative and/or Workforce Services representative to have the opportunity to sum up the case, if they choose to.

10. The employee and/or representative to have the opportunity to sum up the case, if they choose to.
11. The management representative and Workforce Services representative, the employee and representative to withdraw.
12. The Committee to deliberate in private with only the Chief Customer and Workforce Services Officer or representative and Democratic Services Officer in attendance recalling the management representative, Workforce Services representative, the employee and representative only if clarification of evidence already given is required. In such instances all parties should be recalled even though clarification may be required from only one party.

Decision

13. The Committee shall announce its decision to both parties unless further time for deliberation is needed; in which case both parties will be advised of this.
14. The decision of the Committee and the terms of this will be notified to both parties in writing within 7 calendar days of the hearing.

General Notes

1. The provision for summing up at (9) and (10) does not include the right to introduce new evidence at this stage in the procedure. If this becomes necessary, then the other party should be given the right of reply.
2. Any matters not covered by the above procedure will be for the Committee to determine.
3. The employee representative must be a Trade Union representative or colleague from work.
4. When advising the Committee, the Chief Customer and Workforce Services Officer or representative shall not have had any involvement in the original decision to dismiss.

September 2010