

# **GENERAL PURPOSES (APPEALS & STAFFING) COMMITTEE AGENDA**



**Thursday 22 September 2011**

**at 9.00 am**

**in Committee Room C, Civic Centre, Hartlepool**

**MEMBERS: GENERAL PURPOSES (APPEALS & STAFFING) COMMITTEE:**

Councillors Cook, James, Thomas and Wells  
Councillor Hall, Portfolio Holder for Adult and Public Health Services

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
  - 3.1 Minutes of the meeting held on 7 September 2011 *(to follow)*.
- 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 Financial Appeal – Stage 3 – *Assistant Director, Adult Social Care (Para 3)*
- 6. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

## **APPEAL HEARING PROCEDURE**

### **1. Who will be at the hearing?**

- There will be a committee of five councillors who will decide whether or not the appeal has been properly dealt with;
- The person making the appeal. The appellant may be accompanied by a representative or supporter. As the appeals hearing is not a legal hearing, representation by a solicitor is not appropriate;
- A senior officer from the department or section involved in the appeal;
- Any members of the Council's staff or other witnesses who can give information on the matter appealed about. They may be called by the senior officer or required to attend by the Committee;
- A Democratic Services officer will take notes of the meeting.
- In complex cases, an independent officer from the Chief Executive's Department may be asked to attend as an advisor to the panel.

### **2. Opening the hearing**

The Chair of the committee will introduce all the people present and explain why each person is there. He/she will make sure that the appellant understands the procedure to be followed. (The appellant will already have received a copy of the procedure in advance of the meeting).

### **3. Listening to the appellant**

- a. The person appealing, or their representative, will present their case. This will usually be a summary of why they originally appealed and the reasons why they are dissatisfied with the way it had been handled or outcome of the appeal.
- b. The person appealing, or their representative, can question any relevant witnesses and/or give evidence in support of their case.
- c. The members of the committee may ask questions.
- d. The officer representing the department/section complained about may ask questions.

- e. The person with the appeal may ask further questions of any witnesses, but only to clear up any points raised in earlier questioning.

#### **4. Listening to the department**

- a. The senior officer will present the department's case, outlining how the department dealt with the case;
- b. Any relevant witnesses can be called.
- c. The members of the committee may ask questions.
- d. The person making the appeal, or their representative, can question the senior officer or any of the witnesses.
- e. The senior officer may ask further questions of any witnesses, but only to clear up any points raised in earlier questioning.

#### **5. Summing up**

The person appealing, or their representative, and the senior council officer have an opportunity to sum up the information that they have given to the committee, if they wish.

#### **6. Closing the hearing**

The hearing meeting will be closed by the Chairman of the committee, who will explain that the committee will consider all the information they have been given and will inform the appellant of their decision and the reasons for it within 5 working days. The council department involved will also be informed of the decision.

The complainant, the senior council officer and all witnesses will then leave the hearing, the committee members, attended by the Democratic Services Officer and the independent officer, if present, will then consider the case and reach a decision.

#### **7. Reporting the decision of the committee**

Within 5 working days of the hearing, Democratic Services Team will notify the appellant and the council department involved in writing of the Committee's decision and the reasons for that decision. The appellant will be informed their right to complain to the Local Government Ombudsman if they are still dissatisfied with the way their appeal has been dealt with.

# **GENERAL PURPOSES (APPEALS AND STAFFING) COMMITTEE MINUTES AND DECISION RECORD**

7 September 2011

The meeting commenced at 1.00 pm in the Civic Centre, Hartlepool

**Present:**

Councillor: Martyn Aiken (In the Chair)

Councillors: Christopher Akers-Belcher and Ray Wells.

**Also Present:**

Appellants and Trades Union representatives  
Debbie Cooper, Independent Person

Officers: Sally Robinson, Assistant Director (Prevention, Safeguarding and Specialist Services)  
Rachel Clark, HR Business Advisor (Management)  
Alison Swann, HR Business Advisor (Committee)  
Angela Hunter, Principal Democratic Services Officer

## **1. Apologies for Absence**

None.

## **2. Declarations of interest by Members**

None.

## **3. 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 4 – Appeal Against Redundancy Dismissal (IS/GB/JC/MW) - 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.

**4. Appeal against Redundancy Dismissal** (*Chief Customer and Workforce Services Officer*)

Members considered a group appeal submitted on behalf of four appellants against redundancy dismissal. Further details can be found in the exempt section of the minutes.

**Decision**

Details were included within the exempt section of the minutes.

**5. Confirmation of the minutes of the meeting held on 19 April 2011 and 28 July 2011**

Confirmed.

**6. Any Other Items which the Chairman Considers are Urgent**

None.

The meeting concluded at 3.25 pm

CHAIR