

DISCIPLINARY/DISMISSAL/GRADINGS APPEALS COMMITTEE

Tuesday 1st December 2009 in Committee Room 3
in the Council House, Dudley

PRESENT

Councillor Knowles (Chairman)

Councillor: Ms Nicholls (Vice Chairman)

Councillors: Harley, J Martin, Mottram, and Ms Partridge together with Mr M Farooq, Interim Assistant Director, Law Property and Human Resources, the Head of Human Resources - Chief Executive's Directorate, Ms E Kerrigan, Solicitor, (Directorate of Law, Property and Human Resources), Mr G Gibbs (GMB Branch Secretary), and Mrs Joan Rees (Directorate of Law Property and Human Resources)

ALSO IN ATTENDANCE

Mrs T Reilly, Assistant Director of Law Property and Human Resources and Ms V Smart of the GMB Union as observers. No one raised any objections to the observers' attendance at the meeting.

1 APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were submitted on behalf of Councillor Banks, Ms Harris and Ms Shakespeare.

2 APPOINTMENT OF SUBSTITUTE FOR THE MEETING OF THE COMMITTEE

It was reported that Councillor P Harley had been appointed as a substitute for Councillor Ms Shakespeare for this meeting of the Committee only.

3 DECLARATIONS OF INTEREST

Councillor Ms Partridge requested that it be recorded that she knew one of the witnesses to be called. The parties present had no objections to Councillor Ms Partridge's attendance at the meeting.

4 MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 11th March 2009, be approved as a correct record and signed.

EXCLUSION OF THE PUBLIC

RESOLVED

That the public be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of schedule 12A to the Local Government Act 1972 as indicated below.

<u>Description of Item</u>	<u>Relevant Paragraph Part 1 of Schedule 12A</u>
Appeal by Mrs L B	1

APPEAL BY MRS L B

Following consultation with the Chairman and the Legal Advisor, it had been agreed that the appeal would be dealt with by way of a rehearing.

The Committee considered a rehearing of Mrs L B against her dismissal from the employment of the Council. The Council's procedure was followed.

Mrs L B was in attendance at the meeting together with Mr G Gibbs (GMB Branch Secretary) who presented the case on behalf of Mrs L B.

In presenting the case for Mrs LB, Mr Gibbs, called two witnesses in support of the case, as well as the appellant.

During his deliberation, a brief adjournment was called, following which he called his witnesses.

The Council's representative and Members of the Committee then questioned on Mrs L B's case.

Following an adjournment for lunch, Ms Kerrigan, Solicitor, presented the Council's case. Mr Gibbs on behalf of Mrs L B and the Committee then asked questions on the Council's case.

Ms Kerrigan summed up the case for the Council, followed by Mr Gibbs who then summed up the case for Mrs LB.

Following final submissions, the parties left the meeting, at which point Committee continued its deliberations in respect of the rehearing.

RESOLVED

That Mrs LB be reinstated with immediate effect.

The meeting ended at 16.55pm

CHAIRMAN