

Agenda

Appeals and Retirements Committee

Date: **Tuesday 26 November 2024**

Time: **1.00 pm**

Place: **Council Chamber**

For any further information please contact:

Democratic Services

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Appeals and Retirements Committee

Membership

Chair	Councillor Paul Wilkinson
Vice-Chair	Councillor Roxanne Ellis
	Councillor David Ellis
	Councillor Michael Adams
	Councillor Paul Feeney
	Councillor Grahame Pope
	Councillor Clive Towsey-Hinton

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Responsibility of Committee:

- a) To determine appeals from Chief Officers (other than the Head of Paid Service, Monitoring Officer and Chief Financial Officer) against decisions taken under the Council's Disciplinary Procedures including all decisions up to and including decision to dismiss.
- b) To determine appeals from the Head of Paid Service, Monitoring Officer and Chief Financial Officer against decisions taken under the Council's Disciplinary Procedures short of dismissal.
- c) To determine appeals from employees employed under the NJC for Local Authority Services against any decision to dismiss.
- d) To determine appeals where approved employment policies and procedures provide for appeal to or consideration by a Committee.
- e) Consideration of issues arising from Pension Act reviews where these involve the exercise of discretion.
- f) To authorise release of pension in all cases of early retirement where the council is liable to meet a pension strain cost, other than ill health retirement, subject to the Council's policy on early retirement and to consideration of a fully costed report in each case.

- g) To determine and authorise release of any discretionary payments allowed by local policy in respect of dismissals due to reason of redundancy or efficiency of service, whether or not associated with early retirement, and subject to the Council's policy and to consideration of a fully costed report in each case.
- h) To consider all issues concerning the Local Government Pension Scheme and sick pay within the terms of the approved policy.
- i) To consider extensions to the Council's sick pay scheme in individual cases in accordance with the approved policy.

AGENDA

Page

- 1 **Apologies for Absence and Substitutions**
- 2 **To approve, as a correct record, the minutes of the meeting held on 06 June 2023.** 5 - 6
- 3 **Declaration of Interests.**
- 4 **Exclusion of the public and press.**
To move that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972.
- 5 **Appeal Against Dismissal** 7 - 83
Report of the Director of Place.
- 6 **Any other item which the Chair considers urgent.**

MINUTES APPEALS AND RETIREMENTS COMMITTEE

Tuesday 6 June 2023

Councillor Paul Wilkinson (Chair)

Councillor Roxanne Ellis
Councillor David Ellis
Councillor Paul Feeney

Councillor Paul Hughes
Councillor Grahame Pope

Apologies for absence: Councillor Michael Adams

Officers in Attendance: D Archer, B Hopewell, N Osei and A Snodin

19 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Adams, Ellis and Towsey-Hinton. Councillors David Ellis and Paul Hughes attended as substitute.

20 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 23 MARCH 2021.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

21 DECLARATION OF INTERESTS.

None.

22 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

23 EXCLUSION OF PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the reports involve the likely

disclosure of exempt information as defined in Paragraph 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

24 APPEAL AGAINST DISMISSAL

The Head of HR, Performance and Service Planning informed the Committee that RM had appealed against the decision of the Waste, Fleet and Depot managers' decision to dismiss him from the Council's employment.

Members had considered the full agenda which had been circulated prior to the meeting.

The Waste, Fleet and Depot manager, Mick Morley attended with Andrea Snodin, Senior Personnel Officer, and presented the Council's reasons for the decision to dismiss, showing video footage of the incident. The Committee then heard from RM and his representative, outlining their reasons for the appeal.

RESOLVED:

To uphold the Waste, Fleet and Depot manager's decision for dismissal. The Committee resolved to dismiss the appeal as RM failed to comply with council procedure, and although the incident was reported to his manager within a reasonable period, RM had failed to report the incident to the police.

The meeting finished at 12.00 pm

Signed by Chair:
Date:

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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