



Rutland County Council

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Minutes of a Meeting of the **EMPLOYMENT AND APPEALS COMMITTEE** held in the Council Chamber, Catmose, Oakham, Rutland on **Tuesday 6 October 2009** at 7.00pm.

PRESENT: Mrs E J Rodger – in the Chair
Mrs S M Iannantuoni
Mr P D Ind
Mr G Plews
Mr H E G Rees
Mr B W Roper (for part of meeting)

OFFICERS	Miss A H Hair	Democratic Services Officer
PRESENT:	Mrs A Moran	Head of Strategic Human Resources
	Mr G Pook	Head of Legal and Democratic Services

APOLOGIES: Mr T C Ellis.

409. DECLARATIONS OF INTEREST

In accordance with the Regulations, Members were invited to declare any personal or prejudicial interests they might have and the nature of those interests in respect of items on the Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applied to them. No such declarations were received.

The Chairman, Mrs E J Rodger, thanked Mrs S Iannantuoni for joining the Committee, and Mrs A Moran for agreeing to attend meetings of the Committee in an advisory capacity.

410. MINUTES

RESOLVED

That the Minutes of the Employment and Appeals Committee held on 16 June 2009, copies of which had been previously circulated, be approved and signed by the Chairman as a correct record.

411. PETITIONS, DEPUTATIONS AND QUESTIONS

No petitions, deputations or questions from members of the public had been received.

412. UPDATE ON VARIOUS MATTERS

Report No. 208/2009, from the Director of Corporate Services, which sought to update Members on various matters identified for further work at the meeting of the Committee held on 16 June 2009, was received.

Equality & Diversity Training

The Head of Legal and Democratic Services informed the Committee that he had not yet received the outline proposal from NOH Solutions regarding the provision of

equality and diversity training for Members. It was agreed that the training should take place early in 2010 and after the appointment of any new members, perhaps.

The Head of Strategic Human Resources advised the Committee that a suitable alternative to a training session for some members may be an online training course.

Refresher Training on Adjudicating Appeals

Members preferred basic training on the appeals process and were happy for this to take place 'in house' as opposed to having an external training provider.

Composition of Appeals Panels

After discussion it was agreed that the composition of appeals panels should be decided in accordance with the protocol, but with any issues arising in individual cases being taken into account on an informal, ad hoc, basis by officers in consultation with the Chairman of the Employment and Appeals Committee.

Scope for Reciprocal Arrangements

The Head of Legal and Democratic Services informed the Committee that enquiries so far had not revealed any existing practice to this effect or any enthusiasm to pursue one. After discussion, the Committee agreed that the subject be investigated further by the Head of Legal and Democratic Services.

Briefing Processes for Hearings

It was agreed that a briefing must always take place prior to any appeal hearing and that an hour before the hearing, in private, was generally acceptable for the purposes of going over procedural matters.

Terms of Reference

It was agreed that as a result of changes to national regulations in respect of complaints procedures for adults' matters, item 4 (g) Adult Social Services, should be removed from the draft Committee Terms of Reference.

Membership of the Committee

The Head of Legal and Democratic Services undertook to seek a meeting of the Constitution Review Working Group to consider the Committee's request to raise member numbers to 9, in time for a recommendation to be made to the December meeting of the Council.

413. GRIEVANCE APPEALS

Report No. 209/2009, from the Director of Corporate Services, which invited Members to consider the process for the handling of grievance appeals, was received.

It was agreed that the following amendments be made to the Grievance Appeals Process, at Appendix A to Report No. 209/2009:

- a) That sentence 1, paragraph 5 be amended to read "*the Panel and the Clerk will convene in private at least 60 minutes before the scheduled start of the hearing for a briefing by the Clerk on the procedure for the hearing and to identify any issues that members consider material but which have not been addressed explicitly in the written case submissions*".

- b) The deletion of the following words in paragraph 6: *"confirm that there are no apologies for absence"*.
- c) That the process be amended to clarify which Chairman is involved; the Chairman of the Employment and Appeals Committee or the Chairman of the Panel.

The Committee agreed that the Chairman of the Panel would be agreed among the Members forming the Panel at the time of its appointment, to give the Panel Chairman adequate time to prepare. Members would notify the Clerk as soon as possible of the appointment.

The Grievance Procedures for Conducting Appeal Hearings, at Appendix B to Report No. 209/2009 should be amended to require that witnesses be in the room only whilst giving evidence and that the identity of intended witnesses should be advised to the Panel members in case any conflicts of interest arose.

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Mr B Roper left the meeting at 8.06pm and did not return.

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It was agreed that the Head of Legal and Democratic Services would make the above-mentioned changes to the process and procedure and circulate these to members for approval.

414. APPEALS PANELS HELD SINCE THE LAST MEETING OF THE EMPLOYMENT AND APPEALS COMMITTEE AND FINAL OUTCOMES OF CASES

The Committee noted that no appeals panels had been held since the last meeting of the Employment and Appeals Committee.

415. ANY OTHER URGENT BUSINESS

No items of urgent business had been previously notified to the person presiding.

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The Chairman declared the meeting closed at 8.30pm.

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