

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Tuesday, 13th October, 2020

Place: Virtual Meeting - MS Teams

Present: Councillor M Stafford (Chair)
Councillors D Cowan (Vice-Chair), D Garne and C Walker

In Attendance: R Harris and K Melville

Start/End Time: 10.00 am - 2.05 pm

431 Apologies for Absence

Apologies for absence were received from Councillors Ayling, Borton D Garston (no substitutes).

432 Declarations of Interest

There were no declarations of interest at this meeting.

433 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

434 Appeal Against Dismissal - Employee DT

The Committee considered an appeal against dismissal submitted by employee DT. The Council's case was presented by EC, supported by ND. Two witnesses were called by the Council and responded to questions.

The appellant, DT was in attendance, supported by SJ (union representative), and presented their case. The appellant did not call any witnesses.

Having considered all the evidence and submissions made, the Committee:

Resolved:

1. That allegation 1 was not substantiated and therefore the appeal in respect to allegation 1 be upheld.

2. That allegation 2 was substantiated and the appeal not be upheld in respect of allegation 2. However, it fell short of behaviour which justified dismissal on the

grounds of Gross Misconduct and therefore the Committee imposed dismissal with search for alternative employment in line with the disciplinary sanctions available.

Chair: _____