

## **APPEALS PANEL NO. 1**

**MONDAY 3 MARCH 2014 AT 2.00PM**

**PRESENT:** Councillor Harid (Chairman), Councillors Mrs Atkinson and Mrs Geddes

**OFFICERS:** Director of Local Environment  
HR Advisory Service Team Leader

**ALSO  
PRESENT:** Appellant

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence submitted.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest affecting the business to be transacted at the meeting.

### **3. PUBLIC AND PRESS**

RESOLVED - That in accordance with Section 100A(4) of the Local Government Act 1972, the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in Paragraph Number 1 of Part 1 of Schedule 12A of the 1972 Local Government Act.

### **4. APPEAL AGAINST REFUSAL OF REQUEST FOR VOLUNTARY REDUNDANCY**

Consideration was given to an appeal against a refusal of a request for voluntary redundancy.

The Chairman introduced the Panel and outlined the purpose of the hearing, together with the procedure to be followed.

It was noted that all those present had seen the relevant documentation, copies of which had been circulated.

The Chairman asked the Appellant to summarise the reason for her appeal.

The Appellant highlighted appendix 9 of the report and reminded the Panel that a report by the Director of Resources suggested that approximately 40-45 members of staff were required to leave the Council under the Voluntary Redundancy Initiative to achieve the targeted £1million in staff savings. The report also stated that if there were insufficient voluntary redundancy applications then compulsory redundancies could be considered. The Appellant understood that the authority had not achieved the envisaged number of applications.

She added that an in depth review of her section was being carried out and the proposed restructure may change her post. At the time of her application the proposed structure had not been consulted on, the consultation documents had since been circulated week beginning 24 February 2014.

The Appellant appreciated that it would not make sound business sense to delete the post but she felt that it would be beneficial to the section for her to apply for Voluntary Redundancy and potentially allow another individual to move into the post in accordance with the Voluntary Redundancy Initiative guidelines, there was also an opportunity to allow someone from the redeployment list or two part time staff to take the post.

The Appellant responded to a question from the HR Advisory Service Team Leader.

The Appellant confirmed that she had nothing further to add at that stage.

The Chairman invited the Management's representative to present the management case.

The Management's representative outlined the authority's reasons for the Voluntary Redundancy Initiative highlighting some of the criteria which had to be taken into account when considering an application. The criteria that she had considered were that the application could not impact on other people who were not part of the voluntary redundancy process and that the work could be stopped or carried out in a different way. She felt strongly that it was not possible to stop the work that the Appellant carried out.

The Management's representative stressed that the Appellant was highly skilled and very knowledgeable about the processes involved in her role and highlighted some of the tasks that she undertook.

She gave details of the review being undertaken and the effects it would have on jobs in the section. She confirmed that the Appellant's post was considered an essential post and, under the review, it had been fully funded for the future.

The Panel had concerns with regard to succession planning and the Management's representative confirmed that steps had been put in place to ensure succession planning was being carried out within the section.

The Appellant, the Management's representative and the HR Advisory Service Team Leader answered questions and clarified various points raised by Members in relation to the appeal.

The Chairman asked whether anyone present had any further questions to raise. None were forthcoming.

Accordingly, the Chairman invited the various parties to sum up.

The Chairman thanked the Appellant and the Management's representative for their input and asked that they leave the hearing while the Panel considered their decision.

The parties left the room (at 2.25pm) whilst the Panel considered their decision.

After considering all of the evidence presented at length the Panel invited the parties back into the meeting room (at 2.50pm) to be informed of the decision.

On their return the Chairman thanked the Appellant and the Management's representative for their attendance and advised that the Panel had:

RESOLVED – That, having considered all of the evidence presented, both prior to and at the hearing, the Panel had decided to uphold the decision of the Senior Management Team on the grounds that the post could not be deleted and the application be refused based on the knowledge and experience required to deliver the post for the foreseeable future.

[The meeting ended at 2.51pm]