

Governance Committee

13 May 2019

Part I

Staff Appeals Panel Annual Report 2018/19

Report by Director of Human Resources and Organisational Change and Director of Law and Assurance

Summary

One School Transport Appeal was convened during 2018/19 which was not upheld. No staff appeal hearings were convened.

Appeal hearings are scheduled on fixed dates throughout the year and meetings are cancelled if necessary. Only four members were involved in an appeal during 2018/19.

Recommendation

That the Appeals Panel Annual Report 2018/19 be noted.

1. Background and Context

- 1.1 The County Council's Human Resources policies and procedures make provision for staff who have been dismissed to appeal against that decision to members via an Appeals Panel. Subject to meeting the agreed criteria (determined by the Director of Law and Assurance), staff may also appeal to the Panel as the final stage of a grievance. The Boards of Appeal drawn from the Panel have the power to uphold management decisions or to reverse a dismissal decision or uphold or alter a grievance outcome.
- 1.2 The Appeals Panel also hears appeals against school transport decisions.
- 1.3 The Appeals Panel currently comprises 13 members of the County Council and is carrying five vacancies (the membership changed during the course of 2018/19 as a result of a resignation and other appointments). The Appeals Panel does not include members of the Cabinet. School transport appeals comprise between three and five members whereas Staff Boards of Appeal now comprise three members and the Chief Executive or his nominee.
- 1.4 Members are usually allocated to four Appeal Boards each year and Boards of Appeal are scheduled approximately every three weeks to ensure that all appeals can be heard in a timely fashion. Some of these dates are cancelled due to a lack of business, so it cannot be guaranteed that all members of the Appeals Panel will sit on a board of appeal.

- 1.5 It was agreed by the Governance Committee in January 2010 that an annual report be presented setting out:
- An overview of the cases heard;
 - A summary of any recommendations arising from the hearings and any comments or feedback relating to them;
 - Any comments or observations from the annual training session for Panel members; and
 - Any recommendations for the future.

2. Review of Staff Appeals Panel in 2018/19

- 2.1 The annual meeting of the Appeals Board took place on 15 May 2018. At that meeting members of the Panel considered a report outlining proposals for changes to the arrangements for hearing staff appeals (subsequently considered by the Governance Committee and the County Council). As a result of the proposals to change the arrangements for hearing staff appeals no training took place during 2018/19 for members of the Panel. A need for training members to chair a Board of Appeal was identified and will be taken forward in 2019/20.
- 2.2 One appeal against the Council's decision not to allow free post-16 school transport was considered in October 2018 was heard by four members of the Panel. The Board upheld the decision taken by the County Council that the pupil was not entitled to free transportation to College.
- 2.3 The other Boards of Appeal scheduled to be held in 2018/19 were cancelled as there were no other appeals needing to be heard.

3. Risk Management Implications

- 3.1 None identified.

4. Equality Duty

- 4.1 An Equality Impact report is not required as this report is dealing with internal matters only.

5. Crime and Disorder Act Implications

- 5.1 None identified.

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Background Papers

None