

**REPORT FOR: EMPLOYEES'
CONSULTATIVE FORUM**

Date of Meeting: 10 October 2011

Subject: **INFORMATION REPORT –
Employee Procedure Appeals**

Responsible Officer: Jon Turner – Divisional Director Human Resources and Development and Shared Services

Hugh Peart – Director of Legal and Governance Services

Exempt: No

Enclosures: Appendix 1 – Appeal Records

Section 1 – Summary

This report sets out information relating to employee appeals since October 2009, as requested by the Forum at its previous meeting.

FOR INFORMATION

Section 2 – Report

1. The Council has a Conduct Procedure that provides a fair and consistent approach towards dealing with issues of conduct. The Dignity at Work Procedure provides a fair and consistent approach towards dealing with complaints. Both procedures have been developed to comply with the necessary legal requirements and in accordance with Advisory, Conciliation and Arbitration Services (ACAS) guidance and best practice principles.
2. Under the Conduct Procedures, employees who have had disciplinary action taken against them have a right of appeal against the decision. Under the Dignity at Work Procedure, employees have a right to appeal against the outcome determined made at the Formal Meeting stage.
3. At the last meeting of the Forum on 6 July 2011, Members requested further information and statistics relating to these Employee Appeal processes including information on types of appeals and outcomes.
4. Enclosed at appendix 1 is a grid detailing the number of appeals, the type of appeals, whether determined by an officer or Member panel, and the relevant outcomes.
5. Out of 23 appeals since October 2009, 12 have related to disciplinary appeals and 11 have related to Dignity at Work appeals.
6. 5 of the Dignity at Work appeals have been upheld in part, with 6 not upheld. 2 of the disciplinary appeals have been upheld, with 10 not upheld.
7. Arising out of the appeals, 10 claims have been made to the Employment Tribunal. Of these 4 have yet to be heard; 2 were withdrawn by the Claimant without a settlement; 1 was struck out by the Tribunal as the Claimant failed to pay a deposit; in 1 all claims were dismissed; in 1 unfair dismissal was found but no compensation was awarded; in 1 unfair dismissal was found and compensation awarded.
8. Members of the Forum are invited to consider the information and note the report.

Section 3 – Further Information

9. None.

Section 4 – Financial Implications

10. There are no financial implications relating to the recommendations of the report. All costs involved with implementing the employee procedures are contained within relevant budgets.

Section 5 – Corporate Priorities

11. The Employee Procedures underpin the CREATE values and the Council's Corporate Priorities by providing a framework for staff achievement and excellence whilst ensuring consideration of the appropriate values and behaviours expected of them.

Name: Julie Alderson	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 12 September 2011		
Name: Linda Cohen	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 12 September 2011		

Section 6 - Contact Details and Background Papers

Contact: Vishal Seegoolam, Senior Democratic Services Officer, 020 8424 1883

Background Papers: None.