

# APPEALS COMMITTEE

FRIDAY, 9 October 2015

**PRESENT:** Councillor J.K. Howell (Chair)

**Councillors:**

S.M. Allen, W.G. Hopkins, B.A.L. Roberts, S.E. Thomas and J. Williams

**The following Officers were in attendance:**

C. Jones, Assistant Solicitor

Young, Deputy HR Manager

K. Thomas, Democratic Services Officer

**Committee** Room 2 - 3 Spilman Street - **9.00** - 11.20 am

**1. APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor J.P. Jenkins

**2. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**3. EXCLUSION OF THE PUBLIC**

**UNANIMOUSLY RESOLVED** that pursuant to **Section 100A (4) OF THE Local Government Act 1972**, the public be excluded from the meeting during consideration of the following item as the report involved the disclosure of exempt information as defined in Paragraph 13 of Part 4 of Schedule 12A to the Act (As amended by the Local Government (Access to Information)(Variation) Order 2007) namely information which is likely to reveal the identity of an individual.

**4. TO CONSIDER AN APPEAL AGAINST DISMISSAL - ENVIRONMENT DEPARTMENT**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in Minute No. 3 above to consider this matter in private, with the public excluded from the meeting, as it would involve the disclosure of exempt information likely to reveal the identity of an individual.

The public interest test in this matter related to the appellant's name and other personal details, being personal data as defined in Section 1 of the Data Protection Act 1988. The issue to be considered by the Committee was not a matter of public interest. Disclosure of the information in the report would be unfair and run contrary to the appellant's right to privacy. On balance therefore, the public interest in disclosure was outweighed by the public interest in maintaining confidentiality of the report.

The Chair welcomed to the meeting the appellant, her trade union representative together with the departmental and HR representatives and outlined the protocol which would be followed in hearing the appeal (copies of which had previously

been circulated with the agenda for the meeting and circulated at the meeting).

The Committee proceeded to receive evidence from the departmental representative and the appellant and her trade union representative.

Both parties were afforded the opportunity of cross-examining the evidence provided and to sum up, following which, they withdrew from the meeting whilst the Committee considered the evidence and representations made.

The Committee, having considered all the evidence presented, together with the representations made by the appellant and the departmental representative:-

**RESOLVED that the appeal be upheld**

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**CHAIR**

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**DATE**