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Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

FRIDAY, 4 MARCH 2016

TO: ALL MEMBERS OF THE APPEALS COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **APPEALS COMMITTEE** WHICH WILL BE HELD IN **COMMITTEE ROOM 2, 3 SPILMAN STREET, CARMARTHEN, AT 9.00 AM, MONDAY, 14TH MARCH, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Martin S. Davies
Telephone (direct line):	01267 224059
Fax:	(01267) 224911
E-Mail:	MSDavies@carmarthenshire.gov.uk
Ref:	AD016-001

COMMITTEE MEMBERSHIP

Plaid Cymru Group
Cllr. Gwyn Hopkins
Cllr. Ken Howell
Cllr. Siân Thomas

Independent Group
Cllr. Sue Allen

Labour Group
Cllr. Louvain Roberts
Cllr. Jan Williams

Independent Unaffiliated
Cllr. John Jenkins

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTEREST.
3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 9TH OCTOBER 2015. 3 - 6
4. ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCE THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.
5. THE REPORTS RELATING TO THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 13 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE COMMITTEE RESOLVES PURSUANT TO THE ACT TO CONSIDER THESE ITEMS IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.
6. TO CONSIDER AN APPEAL AGAINST DISMISSAL - ENVIRONMENT DEPARTMENT.

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APPEALS COMMITTEE Agenda Item 3

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

CHAIR

DATE