

APPEALS COMMITTEE

Tuesday, 21 September 2021

PRESENT: Councillor J.K. Howell (Chair)

Councillors:

S.M. Allen, K.V. Broom and D. Jones

The following Officers were in attendance:

C. Jones, Assistant Solicitor

L. Evans, Senior HR Advisor

K. Thomas, Democratic Services Officer

Neuadd y Gwendraeth - Drefach - 9.45 am - 2.20 pm

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors E. Morgan and D. Williams.

2. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 12TH NOVEMBER 2019

RESOLVED, that the minutes of the meeting held on the 12th November 2019, be signed as a correct record.

4. NOT FOR PUBLICATION

RESOLVED that pursuant to Paragraph 13 of Part 4 of Schedule 12A of The Local Government Act 1972, the public be excluded from the meeting during consideration of the following items as the reports contained exempt information and the outcome of the public interest test in these matters was that:

“The reports contained personal information relating to the applicants. Although disclosure would support transparency and accountability, the public interest in maintaining confidentiality outweighed the public interest in disclosure because of the need to protect the identities of the applicants and their families”.

5. TO CONSIDER AN APPEAL AGAINST DISMISSAL - ENVIRONMENT DEPARTMENT

Following the application of the public interest test it was **UNANIMOUSLY RESOLVED** pursuant to the Act referred to in Minute No. 4 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 and his trade union representative, together with the appointed Investigating Officers and HR representative and outlined the protocol which would be followed in hearing the appeal (copies of which were included in the agenda pack).

The Committee thereupon proceeded to receive evidence from the Investigating Officers, the appellant and his 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, his trade union representative and the Investigating Officers

RESOLVED that the appeal be dismissed and the appellant be advised in writing of the full reasons for the dismissal of the appeal

CHAIR

DATE