

ROLE OF THE APPEALS SUB-COMMITTEE

Introduction

As outlined, the Nottinghamshire and City of Nottingham Fire Authority is responsible for overseeing the corporate personnel function within the Brigade. This includes handling those Industrial Relations issues which require an involvement at Member level. The Fire Authority discharges this part of its work through the Appeals Sub-Committee for handling the various types of appeals, grievances and disputes which arise from time to time, either on an individual or collective basis. The Appeals Sub-Committee shall comprise elected Members of the Fire Authority who have received training in the hearing of appeals. Details of the four types of appeals are given below.

1 Grading

To hear and decide on grading appeals and appeals relating to equal pay. Decisions of the Sub-Committee are to be without prejudice to any rights of the individual to pursue matters elsewhere.

2 Discipline/Disputes

To hear and decide on appeals relevant to disciplinary processes. This Sub-Committee will also provide a forum for general discussion on collective issues relating to industrial relations and try to resolve disputes between Trade Unions and Management. Decisions of the sub-Committee are without prejudice to any rights of any party to pursue matters elsewhere. On matters of discipline for non-uniformed employees the Sub-Committee has the power to recommend reinstatement or re-engagement to the Brigade of a dismissed employee (necessitating the filling of such vacancies on a temporary basis until the outcome of the appeal is known). If this is not reasonable and practicable, the Sub-Committee may recommend the Head of Personnel to seek re-engagement in other sections of the Fire Authority. On matters of discipline for uniformed employees, these must be conducted in line with the regulations made under Section 17 of the Fire Services Act 1947, as amended by Section 5 of the Fire Services Act 1959.

3 Pensions

To hear appeals brought to Member level through the Internal Disputes Resolution Procedure (Stage 2) in respect of decisions made under the Firemans' Pension Scheme regulations or Local Authority Pension Scheme regulations.

4 Grievances, Recruitment, Appeals, Complaints, etc

To hear appeals brought to Member level through formal processes, e.g. grievance and harassment complaints procedures, and recruitment appeals. Decisions of the Sub-Committee are to be without prejudice to any rights of any party to pursue matters elsewhere.

Appendices

Appeals Sub-Committee (meeting as Local Joint Committee): Procedure

Order of Proceedings

(where Employee's Side has requested the meeting)

1. The Chair will open the proceedings and summarise the procedure to be followed
2. The Employee's side presents its case to the Sub-Committee
3. The Management side are given the opportunity to ask questions relating to the Employee's case
4. Appeals Sub-Committee members may ask questions pertaining to the Employee's Side case
5. The Management side presents its case to the Sub-Committee
6. The Employee's Side are given the opportunity to ask questions relating to the Management case
7. Appeals Sub-Committee members may ask questions pertaining to the Management case
8. The Employee's side are given the opportunity to summarise its case
9. The Management side are given the opportunity to summarise its case
10. If relevant information is not readily available to the Sub-Committee then the Chair may adjourn the hearing and reconvene at a later time or date to allow the information to be presented
11. At the end of the presentation stage, the Chair will decide (i) whether the meeting will be adjourned and reconvene to hear the decision of the Sub-Committee or (ii) a decision will be issued to all parties, in writing, within an agreed timescale. In the case of (i) applying, a written decision will be issued to both parties at a later stage.
12. If, at any point in their consideration, the Sub-Committee members need to ask further questions of either party then all parties will be recalled to the meeting.
13. The decision of the Appeals Hearing his final.

*** Please note that the order of proceedings is reversed in the event of Management requesting the meeting.**