

Right of Appeal

Barnet Council is attempting to undermine staff rights!

Managing Change

is the Council Policy detailing the procedure which must be followed when dealing with Redundancy. The part of the Policy being undermined is the part dealing with when a member of staff wants to appeal the decision to make them redundant.



The Trade Unions are clear that if a member of staff is handed redundancy they have a right to an Appeal. The Appeal should be carried out as a formal hearing. The member of staff with or without their trade union rep should be given the time to present their case. Management can then present their case. Both sides have the opportunity to question the evidence and sum up. This is how we have done Appeal Hearings and how we believe they should remain. This makes the process more transparent and fair.

The Council does not share our view of an Appeal Hearing. Their view is that the member of staff goes in, presents their case then leaves. Management and other witnesses go in give evidence leave, with no opportunity for you to cross examine the evidence. At the end an unaccountable decision will be made.

**They are very different meetings.
We believe this change fundamentally weakens the ability for staff to have a fair and transparent hearing.**

“Earlier this year the Council removed the right of staff to have their appeal against dismissal heard by councillors.”

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The following was submitted to councillors sitting on the CJNCC

Dear Councillor

I understand that **under 8.5 of the constitution** of the *CJNCC I can call an "extraordinary meeting of the Committee shall be held within ten working days of a written request being received by the Clerk of the Committee from the Chairman or Vice Chairman."

We are formally requesting an emergency corporate JNCC on the grounds of **9.14** of the constitution "**Changes to terms and conditions of employment.**"

The changes are "**the Council are seeking to amend part of the Managing Change Policy without consultation with the trade union.**"

The failure to agree concerns the interpretation of the word 'hearing' under which can be found under **section 4.6 of Managing Change.**

The Trade Unions understand a 'hearing' to be as defined under the misconduct policy where both sides have opportunity to present their case before Chief Officer or nominated Officer. It provides an opportunity for both sides to cross examine evidence.

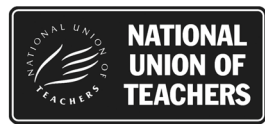
Officers of the Council are taking a different interpretation which has not been agreed with the Trade Unions. There has been both email exchanges and meetings but we are unable to reach an agreement.

This a fundamental change to our members terms & conditions at a time when there is a real likelihood of significant redundancies of the next few years. We need to first seek an opportunity to discuss this with our employers."

*** CJNCC = Corporate Joint Negotiating Consultative Committee**



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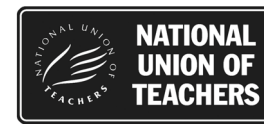
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