

NO-F143

DPA

DPA

Mr Ward

DPA

23 February 1990

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COUNTY COUNCIL'S DISCIPLINARY PROCEDURE

I refer to your suspension from duty with effect from Tuesday, 8th August 1989, following serious allegations of a sexual nature made against you by a young person NO-A323 in the care of the Authority at The Ridge Community Home, and I also refer to the hearing convened within the terms of the County Council's Disciplinary Procedure on Tuesday, 20th February 1990, following the postponement of the original hearing scheduled for Monday, 16th October 1989.

As you will recall, the original hearing was postponed as a result of your ill-health and although you were not present at the meeting on 20th February Mr. D. Watkins, Assistant Director, Children's Division, decided that the case should continue to be heard.

In arriving at this decision, Mr. Watkins took into consideration the history and nature of this case, the interests of the young person concerned who was in attendance as a witness, and the reasonableness of a further postponement. Mr. Watkins also considered the content of the letter of resignation submitted on the day by your Trade Union representative. As indicated above, however, it was considered that the case should be heard as arranged.

Following the conclusion of the hearing, I regret that I am now compelled to give you this formal notice terminating your employment with the Council as Deputy Officer-in-Charge of The Ridge Community Home on the grounds of gross misconduct, this termination to take effect from Tuesday, 20th February 1990.

In arriving at this decision, Mr. Watkins took into account the content of the documents forwarded to your Trade Union by letter dated 3rd October 1989, which included the notes of the interview with yourself at the time of your suspension from duty, and the verbal confirmation of the content of her original interviews by NO-A323. Mr. Watkins also considered the content of the Report produced by the Forensic Access Consultants, following a chemical and microscopic examination of the bedding identified by NO-A323.

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In conclusion, Mr. Watkins considered that the allegations made by NO-A323 that sexual intercourse had taken place with yourself, had been demonstrated to his satisfaction and that he therefore had no alternative other than to terminate your employment on the grounds of your gross misconduct.

If you wish to appeal against this decision, you may do so in writing to the Director of Social Services by no later than Tuesday, 13th March 1990, stating briefly the grounds of your appeal. An opportunity will then be afforded to you of being heard in person, accompanied if you wish by your Trade Union or other representative.

In view of your length of service, you have a right to appeal also to an Industrial Tribunal. An appeal to an Industrial Tribunal must be submitted within three months after Tuesday, 20th February 1990, the effective date of termination of employment. However, you may think it prudent, if you so wish, to lodge an appeal with the Tribunal now and ask that it be held in abeyance until your rights under the Authority's Disciplinary Procedure have been exhausted.

Yours sincerely,

DPA

^ Assistant Director
(Personnel)