



Record of members present and business transacted at meeting held on 12 December 2017 at 10:00am in the Commissions Secretariat Conference Room, Artemis House.

Members Present

Mr. Donovan Ebanks	-	Chairman
Ms. Deanna Look Loy	-	Member
Mrs. Stacey van Develde	-	Member
Mr. Colin Ross	-	Member
Mrs. Sheena Sigsworth	-	Member
Mrs. Vicki Hulse	-	Member

Others Present

Ms. Deborah Bodden	-	Manager, Commissions Secretariat (via telephone)
Ms. Sheila Alvarez	-	Administrator/Analyst
Ms. Lise Hurlstone	-	Administrator/Analyst

Appeals

- **Appeal 007/2017**

The Secretariat Manager confirmed for the members that whilst correspondence had been sent to the Respondent and Appellant in this case informing them that the Commission had accepted the appeal and requesting the Respondent to provide a considered response to the allegations within 10 days (or by Tuesday, 4 December), no response or acknowledgement had been received from the Respondent. Efforts to reach out to the Respondent included calling him directly, and calling one of his Deputy Chief Officers. Members therefore determined that, in accordance with the Commission's policies and procedures, it would proceed with the appeal process without submissions from the Respondent.

After further consideration of the matter, members determined that the submissions appeared to provide evidence that the decision of the Chief Officer to appoint the successful candidate to the post was unfair and biased. In accordance with its powers under s.60 of the Public Service Management Law (2017 Revision), members further agreed that the Appellant is accordingly entitled to remedies, which should include rescindment of the Respondent's appointment decision, a reopening of the offer stage of the recruitment process, and compensation to the Appellant for her losses in:

- a) potential earnings; and
- b) the opportunity to enhance her experience and personal development.

The Commission directed the Secretariat to draft correspondence notifying the Appellant and Respondent of its determinations as outlined above for members' approval.

- Appeal 006/2017

Members considered the appeal form and supporting documents and agreed that it was necessary to obtain legal advice before it could determine whether the Appellant demonstrated grounds for appeal.

The Commission therefore directed the Secretariat to secure a legal opinion from the Commission's retained counsel and Members agreed to revisit the matter after receiving counsel's advice.

Actions

- The Secretariat was asked to:
 - draft correspondence to the Respondent and Appellant in Appeal 007/2017 for the Commission's review; and
 - enquire with Commission's legal representative regarding the grounds for appeal in Appeal 006/2017.



Donovan Ebanks
CHAIRMAN
CIVIL SERVICE APPEALS COMMISSION