



Record of members present and business transacted at meeting held on 4 October 2018 at 9:30am in the Commissions Secretariat Conference Room, Artemis House.

**Members Present**

Mr. Donovan Ebanks	-	Chairman
Mr. Colin Ross	-	Member
Mrs. Stacey van Develde	-	Member
Mrs. Sheena Sigsworth	-	Member

**Apologies**

Mrs. Vicki Hulse	-	Member
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**Others Present**

Ms. Deborah Bodden	-	Manager, Commissions Secretariat
Ms. Sheila Alvarez	-	Administrator/Analyst

**Appeals**

• **Appeal 005/2018**

Members reviewed and discussed the Appellant's response of 2 October 2018 to the Respondent's submission. Members agreed to dismiss the appeal on the basis that there was no evidence that the Respondent misused her authority to terminate the Appellant on the grounds of gross misconduct as defined under the PSML; nor was the Commission convinced that the opinion of the Respondent towards the actions of the Appellant was unreasonable.

• **Appeal 006/2018**

Members reviewed and discussed the legal advice received. The Respondent's submission was accepted and no further extensions were allowed.

• **Appeal 007/2018**

Members considered this appeal and supporting documents. Members agreed to accept the appeal on the basis that the submissions may provide evidence that the Respondent acted unfairly and/or acted in a manner inconsistent with the requirements of Part VII of the PSML during the process in which the Appellant was ultimately dismissed.

### Other Matters

- Appeal 007/2017


Members were informed that the Secretariat is in receipt of documentation from the Appellant advising that a Directions Hearing has been scheduled on 9 October 2018.

- Appeal 008/2018

Members were informed that an appeal was submitted to the Secretariat on 2 October 2018. The Appellant is being represented by his sister who submitted the appeal on his behalf. The Secretariat Manager reviewed the submissions and noted the matter does not fall under the jurisdiction of the Commission as 1) it relates to the consequence of the decision made, as opposed to the decision itself; and 2) the decision was by a Head of Department and not by a Chief Officer.

### Actions

- The Secretariat will draft correspondence to the Appellant's legal representative in relation to Appeal 005/2018.
- The Secretariat will issue correspondence to the Respondent's legal representative, in relation to Appeal 006/2018.
- The Secretariat will draft correspondence to both the Appellant's and the Respondent's legal representatives in relation to Appeal 007/2018.



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Donovan Ebanks

CHAIRMAN

CIVIL SERVICE APPEALS COMMISSION