



Record of members present and business transacted at meeting held on 29 January 2019 at 10:00am in the Commissions Secretariat Conference Room, Artemis House.

Members Present

Mr. Donovan Ebanks	-	Chairman
Mrs. Vicki Hulse	-	Member
Mr. Colin Ross	-	Member
Mrs. Sheena Thompson	-	Member
Mrs. Stacey van Develde	-	Member

Apologies

N/A

Others Present

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

Appeals

- Appeal 010/2018
Members considered the submissions of both parties and found no evidence that the submissions evidenced that the Respondent acted in a manner which was unfair and/or inconsistent with the requirements of Part VII of the PSML during the process in which the Appellant was dismissed.¹
- Appeal 005/2017
After considerable delays, none of which are attributable to the Commission, it is understood that a Directions Hearing will be scheduled after 11 March 2019.
- Appeal 007/2017
The application for Judicial Review was heard on 24 January 2019 and the Appellant has been granted leave to file out of time. A Directions Hearing will be scheduled after 11 March 2019.

¹ Following the meeting it was agreed that CSAC's legal counsel would be consulted and asked to assist with drafting of the decision.

Other Matters

Legislative Changes

Members discussed the guidance received from legal counsel on the numerous matters which have given rise to queries of the sections of the PSML which govern the work of the Commission. The Secretariat will work with legal counsel to finalise the draft to move this matter forward.

Members also discussed issues of concern with the failure to adhere to ss.45 and 46 of the PSML which continues to create problems in the appeals process. Members agreed to consider draft correspondence and circulate their comments via round robin email.

Any Other Business

a. New Appeal

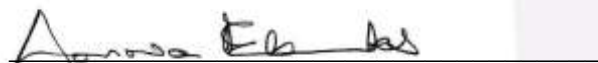
The Commission was informed that the Secretariat is in receipt of a new appeal submission. However, it is not obvious whether the Chief Officer was involved in the decision making. Prior to processing the appeal, the Manager will seek to clarify this with the Appellant and/or Respondent.

b. Tenure of Chairman and Member Colin Ross

The Chairman thanked all the Members for their time and dedication to the work of the Commission. The appointment terms of Chairman and Member Colin Ross come to an end on 31 January 2019. New appointments will be made in due course.

Actions

- The Secretariat will prepare the correspondence to both the Respondent and the Appellant in relation to Appeal 010/2018 for the Chairman's review.
- The Secretariat will work with legal counsel to finalise the drafting of the recommended legislative changes for submission to His Excellency the Governor.
- Members will provide comments on draft correspondence related to ss.45 and 46 as detailed above.
- The Secretariat will progress the processing of the newly received appeal.
- The Secretariat will work with His Excellency the Governor to secure new appointments to the Commission.



Donovan Ebanks

CHAIRMAN

CIVIL SERVICE APPEALS COMMISSION