



Leicester  
City Council

Minutes of the Meeting of the  
EMPLOYEES COMMITTEE (APPEALS)

Held: THURSDAY, 10 DECEMBER 2020 at 10.15am

P R E S E N T:

Councillor Govind                      Councillor Gee (Chair)                      Councillor Westley

\* \* \* \* \*

**34. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**35. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**36. ANY OTHER URGENT BUSINESS**

None.

**37. PRIVATE SESSION**

RESOLVED:

that the press and public be excluded during consideration of the following item in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of exempt information, as defined in the paragraph detailed below of Part 1 of Schedule 12A of the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

**PARAGRAPH 1**

Information relating to any individual

**38. APPEAL AGAINST DISMISSAL**

The Committee considered an appeal against dismissal from post of Civil

Enforcement Officer on the grounds of disciplinary conduct.

Nicola Graham (Human Resources Team Manager) and Andrew L Smith (Director, Planning, Development and Transportation) were present as advisors to the Committee.

The management representative was Martin Fletcher, City Highways Director and Ruth Barr was present as HR advisor to management.

The appellant and the appellants representative were present in the meeting.

The Committee carefully considered all the representations made to it and the written evidence submitted, upon which it was able to ask questions.

#### RESOLVED:

That the management's decision to dismiss was overturned and the appellant was reinstated with a final written warning. This was a majority decision.

#### REASON FOR THE DECISION:

Members felt there was mitigation as the situation in which the appellant found himself was one that included aggression from a member of the public, that clearly involved a need for the appellant to defend himself and which escalated very quickly.

Taking this into account, along with the fact that the appellant was given an instruction by his supervisor at the time of the incident to remain in situ (when his training was to walk away) led Members to feel that a final written warning was a more appropriate sanction.