



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: THURSDAY, 21 JANUARY 2021 at 10.15am

P R E S E N T:

Councillor Westley (Chair)
Councillor Govind Councillor Whittle

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39. APOLOGIES FOR ABSENCE

Councillor Gee had shared his apologies and Councillor Whittle who was a reserve was called upon as a replacement.

The Committee was adjourned for an hour to ensure Councillor Whittle had time to refresh himself in preparation for the Committee.

40. DECLARATIONS OF INTEREST

No declarations of interest were made.

41. ANY OTHER URGENT BUSINESS

There were no items of urgent business.

42. 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

43. APPEAL AGAINST DISMISSAL

The Committee considered an appeal against dismissal from the post of Team manager on the grounds of conduct.

Nicola Graham (Human Resources Team Manager) and Ruth Lake (Director, Adult social care) were present as advisor to the Committee.

The management representative was David Thrussell (Head of Service, Children's social care). Karen Dawson was present as witness to management and Reena Kapadia was present as HR Advisor to management.

The appellant was present at the meeting and represented by Steve Barney (GMB).

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

RESOLVED:

Management's decision to dismiss was upheld and the appeal was rejected.

REASON FOR DECISION:

The Committee carefully considered all the representations made to them both written and verbal. In particular, the Committee were very grateful for the appellants honesty throughout this process, the appellants valued years of service as a social worker and acknowledgement of blameworthiness and recognition of the impact of the appellants actions.

The Committee were satisfied that management had conducted a fair investigation and hearing. Given the severity of the impact of what had occurred in this case on a non-mobile baby, the panel were of the majority view that David Thrussell had no alternative, but to determine this as gross misconduct and subsequently that dismissal was the only possible outcome in this case. The panel therefore upheld management's decision to dismiss the appellant from their role as Team Manager with Leicester City Council and rejected the appeal.