



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: TUESDAY, 28 FEBRUARY 2017 at 10.15am

P R E S E N T :
Councillor Clarke – Chair
Councillor Alfonso
Councillor Fonseca
Councillor Dempster

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51. APOLOGIES FOR ABSENCE

There were no apologies for absence.

52. DECLARATIONS OF INTEREST

No declarations of interest were made.

53. 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

54. APPEAL AGAINST DISMISSAL

The Committee considered an appeal against dismissal from employment with the Leicester City Council under the Disciplinary Policy.

Ruth Lake (Director of Adult Social Care and Safeguarding) and Louise

Pinnock (HR Team Manager) were present as advisors to the Committee.

The management representative was Jagjit Singh-Bains, (Head of Independent Living Services). Jagruti Barai (HR Advisor) was present as HR Advisor to management.

Management called Kerryjit Kaur as a witness.

The appellant was present and represented by Steve Joyce (Unison).

The Committee considered the written submissions and discussed and took into account the evidence from management and the appellant in coming to their decision.

RESOLVED:

That the appeal against dismissal be rejected and the management's decision to dismiss the appellant be upheld.

Reasons:

It was evidenced by the panel that three vulnerable service users had been placed at risk of harm which was serious and amounted to gross misconduct.

The panel felt that the appellants conduct whilst employed by Leicester City Council left the Authority in a vulnerable position and resulted in a breakdown of trust and confidence in the relationship between the employer and employee and the appellant's behaviour also had the potential to damage the reputation of the City Council.

Based on the evidence presented the panel concluded that the City Council's Disciplinary Policy had been fairly applied and the decision to dismiss was reasonable given they believed the circumstances of the misconduct to be of a serious nature and therefore the committee upheld management's decision to dismiss.

55. ANY OTHER URGENT BUSINESS

There being no further business the meeting closed at 1.50pm.