



Leicester  
City Council

Minutes of the Meeting of the  
EMPLOYEES COMMITTEE (APPEALS)

Held: MONDAY, 4 DECEMBER 2017 at 10:45 am

P R E S E N T :

Councillor Westley (Chair)

Councillor Cleaver  
Councillor Unsworth

\* \* \* \* \*

**11. DELAYED START OF MEETING**

As the Management advisor was delayed in arriving at the meeting at the meeting due to traffic conditions in the area, the start of the meeting was delayed. Consequently, the meeting started at 10.45 am, (not 10.15 am as scheduled).

**12. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**13. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**14. 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

### **15. APPEAL AGAINST DISMISSAL**

The Committee considered an appeal against dismissal from employment with the City Council under the Council's Attendance Management Procedure.

Karen Demmer (HR Team Manager) and Andrew Smith (Director of Planning, Development and Transport) were present as advisors to the Committee.

The management representative was Mohinder Singh (Transport Facilities Manager). Alan Faulkner (HR Advisor) was present as HR advisor to management.

The appellant was present and was accompanied by Steve Joyce of Unison trades union.

Neither the appellant or management called any witnesses.

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

#### **RESOLVED:**

That the appeal be rejected and the management decision to dismiss the appellant upheld.

#### Reasons:

- 1) The Committee found that the City Council's Attendance Management Procedure had been fairly applied in respect of the absences that led to the dismissal and there were no procedural errors in its management.
- 2) The Committee was of the view that Management had offered all appropriate support to the appellant to try and assist them to achieve an acceptable level of attendance.
- 3) Although sympathetic to the appellant's health issues, the Committee was of the view that the appellant's level of absence had put a considerable strain on the service area and other colleagues to cover those absences.
- 4) The Committee found no other mitigating factors, or evidence, to lead it to conclude that the decision taken by Management was not fair or appropriate.

### **16. CLOSE OF MEETING**

The meeting closed at 1.10 pm