



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: TUESDAY, 23 OCTOBER 2018 at 10.15am

P R E S E N T :

Councillor Khote (Chair)

Councillor Alfonso
Councillor Cank

* * * * *

16. APOLOGIES FOR ABSENCE

There were no apologies for absence.

17. DECLARATIONS OF INTEREST

No declarations of interest were made.

18. 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

19. APPEAL AGAINST DISMISSAL

The Committee considered an appeal against dismissal from employment with the City Council under the Council's attendance management policy.

Nicola Graham (HR Team Manager) and Chris Burgin (Director of Housing) were present as advisors to the Committee.

The management representative was Samuel Taylor (Team Leader, Housing). Wendy Webster (Human Resources Advisor) was present as HR advisor to management.

The appellant was present and was accompanied by Steve Bentley, of GMB 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, the appellant and the witness in coming to its decision.

The Committee was extremely sympathetic to the health conditions the appellant had suffered. However, it was concerned by the consistently high pattern of sickness throughout the appellant's employment and whether this could be reduced.

RESOLVED:

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

Reasons:

- 1) Based on the evidence presented, the City Council's attendance management policy had been fairly applied and the decision to dismiss was reasonable given the circumstances of the case.
- 2) On balance, management had supported the appellant in a sensitive manner and in keeping with the attendance management procedure.
- 3) The Committee was concerned that the appellant would not be able to deliver on his guarantee that his future attendance record would be significantly better.
- 4) The Committee was concerned that that the previous three final warnings received by the appellant had not led to fewer absences overall.