



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: WEDNESDAY, 31 OCTOBER 2018 at 10.15am

P R E S E N T :

Councillor Alfonso (Chair)

Councillor Cutkelvin
Councillor Westley

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20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Hunter.

21. DECLARATIONS OF INTEREST

No declarations of interest were made.

22. 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

23. APPEAL AGAINST DISMISSAL UNDER THE COUNCIL'S ATTENDANCE MANAGEMENT PROCEDURE

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

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

The management representative was Caroline Carpendale (Head of Service, Housing) . Hina Patel-Dhanji (Human Resources Advisor) was present as HR advisor to management.

The appellant was present and was accompanied by Dave Mitchell, of Unison trades union.

The appellant did not call any witnesses. Management called Mussa Hajat and Dawn Williams as 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 issues suffered by the appellant over the years and allowed further representations from the appellant to outline any other points he wished to raise on his historical absence history.

RESOLVED:

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

Reasons:

- 1) The Committee was concerned by the high level of absence from work since 2007, but was satisfied that management had appropriately supported the appellant over the years and found no evidence that there were any other motives for the dismissal other than the unsustainable nature of the absence.
- 2) 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, based on the absence levels and taking into account that 3 previous final warnings had been issued before dismissal.

24. CLOSE OF MEETING

The meeting closed at 3.15 pm

