



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: MONDAY, 14 JANUARY 2019 at 10.15am

P R E S E N T :

Councillor Cank (Chair)

Councillor Cutkelvin
Councillor Kitterick

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40. APOLOGIES FOR ABSENCE

There were no apologies for absence.

41. DECLARATIONS OF INTEREST

No declarations of interest were made.

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 employment with the City Council under the Council's disciplinary policy.

Louise Pinnock (HR Team Manager) and Craig Picknell (Head of Human Resources, acting on behalf of the Director of Public Health) were present as advisors to the Committee.

The management representative was Andrew Beddow (Head of Sports). Wendy Webster (Human Resources Advisor) was present as HR advisor to management.

The appellant was present and was accompanied by Steve Barney, of GMB trades union.

The appellant called four witnesses at the meeting and management called one.

The Committee read and considered all the documentation submitted as part of the process, listened carefully and considered the representations made and the evidence put to it. The Committee also had the opportunity to ask questions of all parties, including witnesses, to fully understand the background to the case.

RESOLVED:

- 1) That the appeal be rejected and the management decision to dismiss the appellant upheld; and
- 2) That it be noted that this appeal concludes the process as set out in the Council's Disciplinary procedure.

Reasons:

1. The Committee believed that the appellant's behaviour was wholly inappropriate, given it was of a physical nature, along with sexual harassment and verbal abuse. The appellant's actions were not "banter", they were more serious, and this was evidenced by the CCTV footage.
2. The Committee believed that the appellant's actions resulted in a breach of the Council's Code of Conduct and Dignity at Work Policy and they had lost all trust and confidence in him, as had management.
3. The Committee felt that the appellant's conduct whilst employed by Leicester City Council had resulted in a breakdown of trust and confidence between the employer and employee relationship.
4. Based on the evidence presented, the Committee concluded that the City Council's Disciplinary Policy had been fairly applied and the decision to dismiss was reasonable given the circumstances of the case.

44. CLOSE OF MEETING

The meeting closed at 4.15 pm