



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: MONDAY, 25 FEBRUARY 2019 at 10.15am

P R E S E N T :

Councillor Cank (Chair)

Councillor Khote
Councillor Westley

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45. APOLOGIES FOR ABSENCE

There were no apologies for absence.

46. DECLARATIONS OF INTEREST

No declarations of interest were made.

47. 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

48. APPEAL AGAINST DISMISSAL

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

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

The management representative was Kevin Doyle (Planning and Major Works Manager, Housing). Sharron Daley (Human Resources Advisor) was present as HR advisor to management.

The appellant was present and was accompanied by Jayden Filali.

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.

The Committee also listened to the appellant's representations of unequal treatment in comparison with other cases, but felt that it could not comment on decisions made in other cases, as it was not party to the full facts of those cases. The Committee accepted that every case was decided on its own individual factors and mitigations and therefore felt that there could legitimately be different outcomes from what may appear to be similar cases.

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. From the submissions made, the Committee was satisfied that the appellant had not carried out the required work for the property in question in line with safety regulations and Leicester City Council procedures and had not accurately completed the safety paperwork associated with this. This had the potential to put Leicester City Council customers in danger.
2. The Committee was satisfied that the appellant understood his role and the requirements in regard to the relevant safety regulations, but had failed to ensure that the property in question was left in a safe position after his visit.
3. The Committee was satisfied that management had come to a reasonable view when they found the appellant blameworthy of the two allegations and was further satisfied that those allegations constituted gross misconduct for which dismissal

was an appropriate sanction.

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.

49. CLOSE OF MEETING

The meeting closed at 2.00 pm