



Leicester
City Council

Minutes of the Meeting of the
EMPLOYEES COMMITTEE (APPEALS)

Held: FRIDAY, 22 NOVEMBER 2019 at 10.15am

P R E S E N T:

Councillor Cank (Chair)
Councillor Gee Councillor Dr Moore

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6. APOLOGIES FOR ABSENCE

There were no apologies for absence.

7. DECLARATIONS OF INTEREST

No declarations of interest were made.

8. ANY OTHER URGENT BUSINESS

9. 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

10. APPEAL AGAINST DISMISSAL

The Committee considered an appeal against dismissal from employment with the Leicester City Council under the Attendance Management Policy.

Louise Pinnock (Human Resources Team Manager) and John Leach (Director for Neighbourhood & Environmental Services) were present as advisors to the Committee.

The Management representative was Ian Lomas, Local Area Manager (Cleansing) and Pam Read (Human Resources Advisor) was present as HR advisor to management.

The appellant was present and was not accompanied by a representative.

The Committee carefully considered the evidence presented and the panel reached a majority decision.

RESOLVED:

That the City Council's Attendance Management Procedure had been fairly applied by management and therefore as a result the committee upheld management's decision to dismiss.

Reasons:

1. The Committee carefully read and considered all the documentation submitted as part of the process and had the opportunity to ask questions of all parties. The committee fully appreciated that the appellant suffered from anxiety, which is obviously difficult for him, however, the panel believed management had given the appellant every opportunity for his attendance to improve.
2. Occupational health confirmed that no reasonable adjustments were required, which the appellant confirmed as it wasn't the job that made him anxious. Based on the appellants past absence, management lost confidence that his absence would improve, which the panel agreed with. There was also a significant cost to the authority as a result of the absence.
3. The committee were pleased that the appellant was on medication and going to receive professional medical help early next year, however, the appellants absence had been on-going for a number of years. Management re-issued the appellant with a final warning in 2018 as opposed to him being dismissed at that point and unfortunately, his absence didn't improve.
4. Based on the representations made in terms of the appellants absence the committee concluded that the City Council's Absence Management Policy had been fairly applied and the decision to dismiss was reasonable given the circumstances. Therefore, the original decision to dismiss was upheld and, on that basis, the appellants appeal was rejected.
5. The panel explained the decision to not uphold the appeal was not taken lightly and took the opportunity to wish the appellant all the best with his health in the future and hoped he continued to improve.

11. CLOSE OF MEETING

The meeting closed at 1:05pm