

Meeting Corporate Appeals Panel

Date 20 April 2018

Present Councillors Galvin, Shepherd and Reid

11. Election of Chair

Resolved: That Councillor Galvin be elected to Chair the meeting.

12. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of agenda item 5 (Appeal against Dismissal) on the grounds that it contains information relating to an individual and information which is likely to reveal the identity of an individual. This information is classified as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as revised by the Local Government (Access to Information) (Variation) Order 2006.

13. Declarations of Interest

Members were invited to declare at this point in the meeting any personal interests not included on the Register of Interests, any prejudicial interests or disclosable pecuniary interests which they may have in respect of the business on the agenda. None were declared.

14. Minutes

Resolved: That the minutes of the meeting held on 20 October 2017 be approved as a correct record and then signed by the Chair.

15. Appeal Against Dismissal

The Panel considered an appeal against dismissal under the City of York Council's Attendance Management Policy and Procedure.

The hearing was attended by the Assistant Director, Transport, Highways and Environment who presented the management case and an HR Advisor advising management. The appellant was in attendance at the hearing and was accompanied by their union representative. An HR Advisor was also in attendance to provide HR advice to the Panel.

The Panel considered all the evidence provided in the agenda papers and verbally at the hearing by both parties, including witness evidence provided on behalf of management. The Panel also considered an additional piece of evidence with the joint supporting papers which was presented at the hearing and was accepted as additional evidence.

Having considered all the available information, the Panel concluded that the decision taken by management to terminate employment on the grounds of the employee's inability to attend work on a regular basis was reasonable in the circumstances of the case.

Resolved: That the appeal not be upheld.

Reason: The Panel felt that the decision taken by management to dismiss the appellant was fair and reasonable in all the circumstances of the case and in accordance with the Council's Attendance Management Policy and Procedure.

Councillor J Galvin, Chair

[The meeting started at 10.00 am and finished at 12.35 pm].