
Meeting	Corporate Appeals Panel
Date	12 December 2014
Present	Councillors Fraser, Galvin and Steward (as a Substitute for Cllr Firth)
Apologies	Councillor Firth

23. Election of Chair

Resolved: That Councillor Fraser be elected to Chair the meeting

24. 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.

25. 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 any disclosable pecuniary interests which they may have in respect of business on this agenda. Councillor Fraser declared a personal interest as a retired member of UNISON and Unite (TGWU/ACTS sections).

26. Minutes

Resolved: That the minutes of the meetings of the Corporate Appeal Panel held on 24 July 2014 and 21 August 2014 be approved and signed by the chair as a correct record.

27. Appeal Against Dismissal

The Panel considered an appeal against the decision taken by management to terminate the employment of a member of staff in accordance with the City of York Council's Attendance Management Policy and Procedure.

The hearing was attended by the Head of Building Services who presented the management case and an Employee Relations Advisor advising management. The appellant was in attendance at the hearing and was accompanied by a representative of Unite the Union. An HR Business Partner 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 two pieces of additional information which were presented at the meeting in support of management's case. The Panel also took into account evidence provided at the hearing by two witnesses who were called in support of the appellant's case and one witness called in support of management's case.

Resolved: That the appeal not be upheld.

Reason: The Panel agreed that the Attendance Management Policy and Procedure had been followed correctly. They agreed that the decision taken by management, to terminate employment on the grounds of inability to attend work on a regular basis due to long term ill health, was reasonable in the circumstances and had been made in line with that policy.

Councillor Fraser, Chair

[The meeting started at 10.00 am and finished at 1.30 pm].