

EMPLOYMENT APPEALS COMMITTEE

Meeting: 3 November 2003

At: 9.30 am

PRESENT

Councillors Paul Carter, Jenny Humphreys and Jim Siddelley.

1. ELECTION OF CHAIR

RESOLVED - That Councillor Paul Carter be elected Chair of the Committee until the next Annual Council Meeting.

2. APPOINTMENT OF VICE-CHAIR

RESOLVED - That Councillor Jenny Humphreys be appointed Vice-Chair of the Committee until the next Annual Council Meeting.

3. MINUTES

The minutes (copies of which had been circulated) of the meeting held on 14 January 2003 were approved as a correct record and signed by the Chair.

4. DECLARATIONS OF INTEREST

No declarations were made.

5. EXCLUSION OF THE PUBLIC

RESOLVED - That in order to prevent the disclosure of information not for publication relating to a particular employee, former employee, or applicant to become an employee, or a particular office holder, former office holder or an applicant to become an office holder under the Council, the public be excluded from the meeting during consideration of Item 6.

Item not for publication

6. APPEAL A201

The Committee considered an appeal against dismissal from an employee in Community Services. The Chief Executive informed the Committee that the appellant was unable to attend the meeting due to ill health but that a representative of the employee at her request would present her case. The employee's representative submitted a written statement on her behalf.

The Committee listened carefully to the submissions as well as considering written evidence submitted.

RESOLVED - That the decision of management to dismiss this employee be upheld and that the committee confirms the decision of the Director of Community Services to terminate the appellant's employment with the Council with effect from 22 October 2003 on the grounds of the appellant's ill health incapability. In reaching their decision the Committee were of the opinion that management had correctly followed the Council's Sickness Absence Policy and accepted the reasons put forward why it had not been possible or practical to provide alternative employment. These reasons include that prior to management's decision to dismiss, the appellant had not indicated that the job itself was contributing to her ill health. Also, as she was absent from work and communication with her proved difficult, the issue of redeployment could not be addressed. In reaching their decision the Committee acknowledged the genuine problems of ill health suffered by the appellant and acknowledged that when present her standard of work was good. However, bearing in mind there was no clear indication that the appellant's condition was improving or any indication as to when she was likely to be able to return to work, it was felt appropriate to uphold the decision of the Director of Community Services.

The meeting closed at 11.16 am.