

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 16 SEPTEMBER 2019

Present:

Councillor Hunter (in the Chair)

Councillors

Hugo	Matthews	Walsh
Hutton	R Scott	

In Attendance:

Mrs D Goodall, Head of Corporate Legal Deputy Head of Legal Services, Blackpool Council
Mrs J Roberts, Employee Relations Manager, Blackpool Council
Miss Y Burnett, Senior Democratic Governance Advisor, Blackpool Council

1 DECLARATIONS OF INTEREST

None.

2 MINUTES OF THE LAST MEETING HELD ON 22 JULY 2019

Resolved: That the minutes of the meeting held on 22 July 2019 be approved and signed by the Chairman as a correct record.

The Clerk provided the Committee with an update on the recommendations made at the meeting on 9 July 2019 and the Committee noted that progress had been made to address the issues raised.

3 EXCLUSION OF THE PUBLIC

Resolved: That under Section 100 (A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the whole item, including the decisions referred to at Agenda item 4 on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

4 APPEAL AGAINST GRIEVANCE

The Committee considered a request to review the decision of the Council not to uphold a Grievance submitted by an employee.

The appellant was in attendance at the meeting.

Mrs Roberts (Employee Relations Manager) and Mrs Goodall (Head of Corporate Legal) were in attendance to advise the Committee on policy and procedure only and had taken no part in the original decision.

The relevant Chief Officer and Employee Relations Adviser presented the case on behalf of the Authority.

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The Committee carefully considered all the representation and documentation put forward by both parties and acknowledged the appellant's view that they had continued confusion regarding their job description/ roles, which had arisen following an internal restructure. The Committee acknowledged that in those circumstances it was sometimes inevitable that changes to job description/ roles were necessary to ensure the Service continued to meet its needs and those of its customers. However, the Committee was of the opinion that sufficient attempts had been made on numerous occasions by the appellant's Line Manager, Head of Service and Chief Officer to provide reassurance of their role within the service. It was noted that opportunities to seek further clarification had also been offered, which the appellant had declined to take advantage of.

The Committee noted the appellant's characterisation of the style of line management they had received since February 2018, the strained working relationship and the apparent lack of confidence in their Line Managers ability. Nevertheless, the Committee believed that the management style was inclusive providing sufficient opportunities for employees to contribute/ provide feedback and whilst some confusion had arisen around working patterns, preventing the appellant attending team meetings, there was no evidence that this was deliberate and the situation had been soon rectified. The Committee was of the opinion that there was no evidence to suggest that the appellant had been treated unfairly or that there had been a disparity in treatment compared to that of their colleagues.

Whilst the Committee did not agree with the appellant's assertion in their grievance that the Council had failed its legal duty of care to provide a safe workplace and a safe system of work as a consequence of the above two issues or any other action of their manager. The Committee nevertheless takes very seriously the personal safety of Council officers in their workplace and therefore asked that officers be requested to provide assurances of officers' awareness of safe systems of work and relevant procedures.

Resolved:

- 1) To dismiss the appeal and uphold the officer's decisions taken at Stage 2 of the Council's Employee Complaints (Grievance) Procedure on the grounds that the Authority's procedures had been followed and the decisions taken had been fair and reasonable.
- 2) That officers be requested to provide assurance that officers were aware of the safe systems of work in place and also the procedures and approaches to be adopted when confronted with inappropriate, violent or aggressive behaviour.

Background papers: Exempt

5 DATE OF NEXT MEETING - 7 OCTOBER 2019

Resolved: To note the date of the next meeting as 7 October 2019.

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Chairman

(The meeting ended 12.10pm)

Any queries regarding these minutes, please contact:
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