

MINUTES OF APPEALS COMMITTEE MEETING - TUESDAY, 12 FEBRUARY 2019

Present:

Councillor Ryan (in the Chair)

Councillors

Mrs Callow JP

Elmes

Singleton

Mitchell

In Attendance:

Ms D Goodall, Head of Corporate Legal, Blackpool Council

Mrs J Roberts, Employee Relations Manager, Blackpool Council

Miss L Barugh, Deputy Employee Relations Manager, Blackpool Council (Observer)

Miss Y Burnett, Senior Democratic Governance Advisor, Blackpool Council

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE LAST MEETING HELD ON 21 JANUARY 2019

Resolved: That the minutes of the meeting held on 21 January 2019 be approved and signed by the Chairman as a correct record.

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 GRIEVANCE REVIEW

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

Mrs Roberts (Employee Relations Manager) and Ms 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.

Mr Jones, Head of Property Services presented the case on behalf of the Authority, supported by Ms Simister, Employee Relations Advisor.

The appellant, accompanied by a Trade Union representative, were in attendance at the meeting.

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The Committee carefully considered all the representation and documentation put forward by both parties. In considering, the appellant's reasons for seeking paid Special Leave, the Committee was aware that the circumstances had arisen due to a third party issue causing transport disruption and acknowledged that every effort had been made by the appellant to resolve the situation. However, employees were contractually obliged to attend work and the Committee was of the opinion that other reasonable options (Annual Leave, Unpaid Leave, and Flexi Leave) had been made available to the appellant.

The Committee had regard to the Leave Entitlement Policy and whilst it was mindful that the Policy did not explicitly refer to delayed holiday travel arrangements, the Committee was satisfied that the external advice that had been sought confirmed that other public sector organisations had adopted a similar approach not to grant paid Special Leave in those circumstances.

After carefully considering all the evidence before it, the Appeals Committee was satisfied that the Council's Leave Entitlement Policy had been interpreted and implemented fairly and it was considered not the responsibility of the employer to compensate an employee for non-attendance at work due to travel difficulties.

Resolved:

1. To dismiss the appeal and uphold the officer's decision 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 decision taken had been fair and reasonable.
2. That officers be requested to review the Leave Entitlement Policy, Section 9 (Travel Difficulties) and consider updating that document to clarify that it also related to employees returning from any location other than their normal residence.

Background papers: Exempt.

5 DATE OF NEXT MEETING - 11 MARCH 2019

Resolved: To note the date of the next meeting as 11 March 2019.

Chairman

(The meeting ended 10.42am)

Any queries regarding these minutes, please contact:
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