

MINUTES OF APPEALS COMMITTEE MEETING - MONDAY, 29 APRIL 2024

Present:

Councillor Boughton (in the Chair)

Councillors

S Brookes	Sloman	M Scott
Jones	Benson	

In Attendance:

Mrs Janet Roberts, Employee Relations Team Manager
Dawn Goodall, Head of Legal Services
Jenni Cook, Democratic Governance Senior Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 MINUTES OF THE LAST MEETING HELD ON 29 JANUARY 2024

Resolved:

To agree the minutes of the Committees held on 29 January 2024 held at 10am and 1pm as a true and correct record.

3 APPEAL AGAINST DISMISSAL

The Committee considered a request to review the decision of the Council to dismiss an employee.

Mrs J Roberts, Employee Relations Team Manager, and Ms D Goodall, Legal Adviser, were in attendance to advise the Committee on policy and procedure only and had taken no part in the original decision. Also in attendance was Mrs J Cook, Clerk to the Committee.

The relevant Head of Service and the Employee Relations Adviser presented the case on behalf of the Authority and the Appellant presented their case. The Appellant was accompanied by a Union Representative.

The Committee acknowledged the representations put forward by both parties and acknowledged that the Authority's investigation had been delayed until the outcome of the Police investigation and the impact that this delay had had on the Appellant.

The Committee considered the Authority's investigation and the decision not to interview some witnesses and the reasoning behind that, further details of the nature of the complaint and also the reliance on Police Statements. The Committee considered the case papers in which interviews showed that the Appellant had admitted to an activity taking

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pace and the Authority's view that the Appellant was in a senior role to the individual involved and the de facto team manager.

The Committee considered the Appellant's case and that the Appellant had accepted certain aspects of the allegations and provided mitigation in relation to the same. They also considered the Appellant's view that they were not the direct Line Manager of the individual involved and therefore not in a role that was directly Senior to that individual.

After carefully considering all the evidence before it and after questioning the Appellant, the relevant Head of Service and the Employee Relations Adviser, the Appeals Committee was satisfied on the basis of all the evidence before it that the two allegations were substantiated. The Committee was also satisfied that the Authority's procedures had been followed and that the decisions taken had been fair and reasonable.

The Committee also had regard to the Code of Conduct for Workers in Children's Services and in all the circumstances of the case it was of the view that the Appellant's actions and conduct were in substantial breach of the same. The Committee found that the Appellant's actions and conduct were unacceptable and that they were sufficiently serious to fundamentally destroy trust and confidence in the contractual relationship between the Appellant and the Council.

The Committee agreed with the Authority's decision to dismiss the employee, however it did recommend that, where possible, any final meetings should take place in person.

Resolved:

To dismiss the appeal and to uphold the Council's decision to dismiss the employee on the grounds that the Authority's procedures had been followed and the decision taken had been fair and reasonable.

4 DATE OF NEXT MEETING

Resolved:

That the date of the next meeting was subject to approval of the Schedule of Meetings at Annual Council on 15 May 2024.

Chairman

(The meeting ended at 11.38 am)

Any queries regarding these minutes, please contact:
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