

PERSONNEL COMMITTEE

10.00 A.M.

25TH JULY 2012

PRESENT:- Councillors Alycia James (Vice-Chairman), Mark Bevan (substitute for Jonathan Dixon), Shirley Burns, Ceri Mumford (substitute for Melanie Forrest), Margaret Pattison (substitute for David Smith), and Sylvia Rogerson.

Apologies for Absence

Councillors Paul Gardner (Chairman), Jonathan Dixon, Melanie Forrest, David Smith

Officers in attendance:-

Mark Davies	Head of Environmental Services
Stuart Hampson	Human Resources Manager
Angela Jackson	Principal Human Resources Manager
Peter Baines	Senior Democratic Support Officer

7 MINUTES

The minutes of the previous meeting, held 30th May 2012, were approved as a correct record.

8 DECLARATIONS OF INTEREST

There were no declarations of interest.

9 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

10 REVIEW OF HR POLICIES

The Principal Human Resources Officer introduced a report on the consultation process recently held on revisions to the Sickness Absence and Management Procedure.

It was noted that formal consultation with the recognised trades unions had taken place. In relation to the Bradford Factor Index, trades unions and management had agreed to revise the number of absence indicator points necessary to trigger a formal review from 75 to 60.

This proposal was subject to approval by Personnel Committee, and would be placed under review if the level of sickness absence did not reduce to eight days per annum, across the workforce, by 31st March 2013.

Resolved:

That the Sickness Absence Management Procedure be approved subject to the number of absence indicator points, necessary to trigger a formal review under the Bradford Factor Index, being revised from 75 to 60.

11 EXCLUSION OF THE PRESS AND PUBLIC***Resolved:***

That in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they could involve the possible disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of that Act.

12 REQUEST FOR VOLUNTARY REDUNDANCY (Page 1)

The Head of Environmental Services introduced a request for voluntary redundancy that had been received in connection with the closure of Lancaster Market.

It was noted that Council had resolved, on 24th May 2012, that the Lancaster Market did not have a long term viable future and, as such, it was scheduled to close on 14th September 2012, thus displacing a number of employers.

Resolved:

The resolution is set out in a minute exempt from publication by virtue of paragraphs (1) and (2) of Schedule 12A of the Local Government Act 1972.

13 REQUEST FOR FLEXIBLE RETIREMENT (Page 2)

The Head of Environmental Services introduced a request for flexible retirement.

Resolved:

The resolution is set out in a minute exempt from publication by virtue of paragraphs (1) and (2) of Schedule 12A of the Local Government Act 1972.

14 APPEAL AGAINST DISMISSAL - FIRST HEARING

The Committee agreed to consider an appeal against dismissal in the absence of the appellant. The appellant was represented by their trade union.

The Head of Environmental Services presented the case for dismissal, assisted by a Human Resources officer. The Head of Environmental Services called the Repairs and Maintenance Manager as a witness.

This was followed by questions from the Committee, and the appellant's trade union representative.

The Committee subsequently heard evidence from the appellant's representative, followed by questions from the Committee and the Head of Environmental Services.

The Head of Environmental Services and the appellant's representative were invited to summarise their cases.

(The appellant's representative, Head of Environmental Services, and the Human

Resources officer were requested to leave the meeting at 11:35am. The Committee then adjourned, reconvening at 12:05pm, to reach its decision. At this juncture the appellant's representative, the Head of Environmental Services, and the Human Resources officer were recalled to the hearing. The findings of the Committee were read out.)

The Chairman thanked both parties for their presentations and the information provided to the Committee to assist them with the hearing.

The Committee, having carefully considered all the evidence submitted, found as follows:

Resolved:

That the decision to dismiss the appellant be upheld.

15 APPEAL AGAINST DISMISSAL - SECOND HEARING

The Committee considered an appeal against dismissal.

The Head of Environmental Services presented the case for dismissal, assisted by the Principal Human Resources Officer. This was followed by questions from the Committee, the appellant, and the appellant's trade union representative.

The Committee subsequently heard evidence from the appellant and the appellant's trade union representative, followed by questions from the Committee and the Head of Environmental Services.

Neither party called a witness.

The Head of Environmental Services and the appellant were invited to summarise their cases.

(The appellant, their representative, the Head of Environmental Services, and the Principal Human Resources Officer were requested to leave the meeting at 3:35pm. The Committee then adjourned, reconvening at 4:05pm, to reach its decision. At this juncture the appellant, appellant's representative, the Head of Environmental Services, and the Principal Human Resources Officer were recalled to the hearing. The findings of the Committee were read out.)

The Chairman thanked both parties for their presentations and the information provided to the Committee to assist them with the hearing.

The Committee, having carefully considered all the evidence submitted, found as follows:

Resolved:

- (1) That the decision to dismiss the appellant be upheld;
- (2) That the relevant officer be directed to write to the appellant, to make it clear that dismissal was due to the appellant being incapable of performing the duties of

the post as a result of ongoing absence due to ill health.

Chairman

(The meeting ended at 4:10pm)

**Any queries regarding these Minutes, please contact
Peter Baines, Democratic Services, telephone 01524 582074 or e-mail
pbaines@lancaster.gov.uk**

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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