

## APPEALS PANEL

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 19 January 2009

**Chair:**

Councillor Denis McKenna

**Councillors Present:**

Eileen Baxendale, Graeme Horne, Davie McLachlan, Bert Thomson, Sheena Wardhaugh

**Attending:**

S McLeod, Administration Officer; G Robertson, Personnel Adviser

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### 1 Declaration of Interests

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No interests were declared.

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### 2 Exclusion of Press and Public

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**The Panel decided:** that, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the next item of business on the grounds that it was likely that there would be disclosure of exempt information in terms of Paragraph 1 of Part I of Schedule 7A of the Act.

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### 3 Social Work Resources - Appeal Against Dismissal

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The Panel considered an appeal (21/08) by an employee of Social Work Resources against her dismissal.

The appellant was present and represented by S Smellie, Unison. The Council was represented by B Hutchinson, Personnel Services Manager, Social Work Resources. Both sides called witnesses. All parties were heard in relation to the appeal and then withdrew from the meeting.

Councillor McKenna, seconded by Councillor McLachlan, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor S Wardhaugh, seconded by Councillor Horne, moved as an amendment that the grounds of the appeal had been substantiated in part and the appeal be upheld to the extent that the:-

- ♦ dismissal be substituted with a 2 week period of unpaid absence
- ♦ appellant be issued with a final written warning

On a vote being taken by a show of hands, 2 members voted for the amendment and 4 for the motion which was declared carried.

**The Panel decided:** that the grounds of the appeal had not been substantiated and the appeal be not upheld.

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#### **4 Urgent Business**

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There were no items of urgent business.