

APPEALS PANEL

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton at 9.00am on 23 January 2009

Chair:

Councillor Denis McKenna

Councillors Present:

Graeme Campbell, Jim Handibode, Bill Holman, Brian McKenna, Jim Wardhaugh

Attending:

S Brown, Personnel Adviser; S McLeod, Administration Officer

1 Declaration of Interests

No interests were declared.

2 Exclusion of Press and Public

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.

3 Social Work Resources - Appeal Against Dismissal

The Panel considered an appeal (20/08) 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 D McKenna, seconded by Councillor Handibode, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor Campbell, seconded by Councillor J Wardhaugh, 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 period of unpaid absence
- ◆ appellant be issued with a final written warning

On a vote being taken by a show of hands, 3 members voted for the motion and 3 for the amendment. On the casting vote of the Chair, the motion was declared carried.

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

4 Urgent Business

There were no items of urgent business.