

APPEALS PANEL

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 11 February 2008

Chair:

Councillor Denis McKenna

Councillors Present:

David Baillie, Jim Handibode, Davie McLachlan, John McNamee, Jim Wardhaugh

Attending:

Corporate Resources

S McKenzie, Personnel Officer; 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(s) 1 of Part I of Schedule 7A of the Act.

3 Social Work Resources - Appeal Against Termination Due to Incapability

The Panel considered an appeal (23/07) by a former employee of Social Work Resources against his dismissal.

The appellant was present and represented by A Duncan, General Municipal Boilermakers and Allied Trade Unions (GMB). The Council was represented by B Hutchinson, Personnel Services Manager, Social Work Resources. The Council called witnesses. All parties were heard in relation to the appeal and then withdrew from the meeting.

Councillor Handibode, seconded by Councillor McLachlan, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor Jim Wardhaugh, seconded by Councillor McNamee, moved as an amendment that the grounds of the appeal had been substantiated and the appeal be upheld. 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.