

APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 18 December 2007

Chair:

Councillor Pat Watters

Councillors Present:

Gerry Convery, James Malloy, Lesley McDonald, Jim Wardhaugh

Councillor's Apology:

David Baillie

Attending:

Corporate Resources

P Forsyth, Personnel Adviser; S McLeod, Administration Officer; E McPake, Personnel Officer

Appointment of Chair

In terms of Standing Order No 5(b), Councillor Watters was appointed Chair for this meeting.

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 following item(s) 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 Appeal Against Dismissal

The Panel considered an appeal (10/07) by a former employee of Community Resources against his dismissal.

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

Councillor Watters, seconded by Councillor McDonald, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor Convery, seconded by Councillor Jim Wardhaugh, moved as an amendment that the appeal had been substantiated in part and the appeal be upheld in part. On a vote being taken by a show of hands, 2 members voted for the amendment and 3 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.

4 Urgent Business

There were no items of urgent business.