

## APPEALS PANEL

Minutes of meeting held in Committee Room 3, Council Offices, Almada Street, Hamilton on 23 January 2018

**Chair:**

Councillor Collette Stevenson

**Councillors Present:**

Mary Donnelly, Eric Holford

**Attending:**

**Finance and Corporate Resources**

S McLeod, Administration Officer; E Maxwell, Personnel Adviser

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### 1 Declaration of Interests

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No interests were declared.

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### 2 Urgent Business

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There were no items of urgent business.

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### 3 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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### 4 Appeal Against Dismissal

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The Panel considered an appeal (Ref 9/17) by an employee against his dismissal.

The appellant was present and represented by S Smellie of UNISON. The Council was represented by a Personnel Adviser.

S Smellie requested that an additional submission be considered. The Personnel Adviser outlined her objections to the additional submission being considered.

Both sides withdrew. Following discussion, the Panel agreed that the additional submission would be considered. Both sides re-entered the meeting and were advised of the position.

The Council called a witness and the appellant's representative called the appellant. All parties were heard in relation to the appeal and then withdrew from the meeting.

**The Panel decided:**

that the grounds of the appeal had been substantiated in part and the appeal be upheld to the extent that:-

- ◆ the appellant be demoted to the post of Social Worker with effect from 24 January 2018
- ◆ a period of unpaid absence be applied from the date of dismissal until 23 January 2018
- ◆ the appellant be issued with a final written warning
- ◆ the appellant undertake appropriate training

*Councillor Donnelly, as the mover of an amendment which failed to find a seconder, asked that her dissent be recorded*