

# APPEALS PANEL

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 24 November 2006

**Chair:**

Councillor William Ross

**Councillors Present:**

Archie Buchanan, Maureen Devlin, Carol Hughes, Brian McCaig

**Attending:**

**Corporate Resources**

A Drummond, Personnel Officer; M McAllister, Personnel Officer; S McLeod, Administration Officer

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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 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.

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## 3 Appeal Against Dismissal

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The Panel considered an appeal (9/06) by a former employee of Social Work Resources against his 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 William Ross, seconded by Councillor Devlin, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld.

Councillor Buchanan, seconded by Councillor Brian McCaig, moved by way of amendment that the appeal had been substantiated in part and the appeal be upheld to the extent that:-

- ◆ the dismissal be substituted by a period of unpaid absence from the date of dismissal to 3 December 2006 inclusive
- ◆ the appellant be issued with a final written warning

On a vote being taken by a show of hands, 2 members voted for the motion and 3 for the amendment which was declared carried.

**The Panel decided:**

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

- ◆ the dismissal be substituted by a period of unpaid absence from the date of dismissal to 3 December 2006 inclusive

- ◆ the appellant be issued with a final written warning

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#### **4 Urgent Business**

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There were no items of urgent business.