

## APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 23 September 2010

**Chair:**

Councillor Hugh Dunsmuir

**Councillors Present:**

David Baillie, Pam Clearie, Bev Gauld, Jim Handibode, Denis McKenna

**Attending:**

**Corporate Resources**

S McLeod, Administration Officer and G Robertson, Personnel Adviser

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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 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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### 3 Appeal Against Dismissal

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The Panel considered an appeal (Ref 11/10) by a former employee against his dismissal.

The appellant was present and represented by J McLaren, Union of Construction, Allied Trades and Technicians. The Council was represented by the Personnel Manager of the appellant's former Resource.

In response to a request by J McLaren for a witness to be called and a submission to be considered, the Personnel Manager outlined her objections to the proposal.

Both sides withdrew. Following discussion, the Panel agreed that the witness would not be called and that the submission would not be considered. However, it was agreed that a written statement from the witness would be considered. Both sides re-entered the meeting and were advised of the position.

Both sides called witnesses. 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 not been substantiated and the appeal be not upheld.

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#### **4 Urgent Business**

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There were no items of urgent business.