

APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 21 and 22 November 2007

Chair:

Councillor Pat Watters

Councillors Present:

Pam Clearie, Alex McInnes, John Murray, Bert Thomson, Sheena Wardhaugh

Attending:

Corporate Resources

P Forsyth, Personnel Adviser; R Lake, Administration Manager (on 21 November 2007); S McLeod, Administration Officer (on 22 November 2007)

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 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.

3 Appeal Against Dismissal

The Panel considered an appeal (16/07) by a former employee of Housing and Technical Resources against his dismissal.

The appellant was present and represented by S Smellie, Unison. The Council was represented by M McGuinness, Personnel Adviser, Housing and Technical Resources. Both sides called witnesses. All parties were heard in relation to the appeal and then withdrew from the meeting.

The meeting was adjourned at 3.00pm and reconvened at 2.35pm on 22 November 2007 to enable the Panel to consider its decision.

The Panel decided:

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

- ♦ the dismissal be substituted by a period of unpaid absence from the date of dismissal until a suitable date for reinstatement
- ♦ the appellant be issued with a final written warning

[Reference: Minutes of 20 November 2007 (Paragraph 3)]

4 Urgent Business

There were no items of urgent business.