

APPEALS PANEL

Minutes of meeting held in Committee Room 2, Council Offices, Almada Street, Hamilton on 12 December 2008

Chair:

Councillor Denis McKenna

Councillors Present:

David Baillie, Bill Holman, John McNamee, Hamish Stewart, Richard Tullett

Attending:

Corporate Resources

S Brown, Personnel Adviser; S McLeod, Administration Officer; G Robertson, Personnel Adviser

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 Community Resources - Appeal Against Dismissal

The Panel considered an appeal (17/08) by an employee of Community Resources against his dismissal.

The appellant was present and represented by R Robertson of 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 Holman, seconded by Councillor Tullett, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor Baillie, seconded by Councillor McNamee, moved as an amendment that the appeal had been substantiated in part and the appeal be upheld to the extent that the:-

- ◆ dismissal be substituted with a period of unpaid absence
- ◆ appellant be issued with a final written warning

On a vote being taken by a show of hands, 2 members voted for the amendment and 4 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.