

APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 12 February 2008

Chair:

Councillor Pat Watters

Councillors Present:

Alex Allison, Pam Clearie, Lesley McDonald, Alex McInnes, John McNamee

Attending:

Corporate Resources

V Aitken, Personnel Manager; S McLeod, Administration Officer

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(s) 1 of Part I of Schedule 7A of the Act.

3 Housing and Technical Resources - Appeal Against Dismissal

The Panel considered an appeal (15/06) by a former employee of Housing and Technical Resources against his dismissal.

The appellant was not present but was represented by B Fletcher, General Municipal Boilermakers and Allied Trade Unions (GMB). The Council was represented by M McGuinness, Personnel Adviser, Housing and Technical Resources.

B Fletcher requested that the appeal be postponed in light of the appellant being unable to attend due to illness and the fact that he had a scheduled hospital appointment on 13 February 2008.

M McGuinness requested that additional evidence which had recently come to light be considered and highlighted reasons in support of the request. B Fletcher put forward the view that additional evidence should not be submitted at this stage of the process and requested that, in the event that the additional evidence was to be considered, the appeal be postponed to allow him to discuss this with the appellant.

Both sides withdrew and, following discussion, the Panel agreed that:-

- ◆ the appeal proceed as scheduled
- ◆ the additional evidence be considered as it was relevant to the case

Both sides re-entered the meeting and the Chair advised that the appeal would proceed and that the additional evidence would be considered. The Chair then adjourned the meeting at 10.45am for a period of 45 minutes to allow the Panel members to read the additional submission and enable B Fletcher to arrange for the appellant's witnesses to attend.

When the meeting reconvened, 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.

4 Urgent Business

There were no items of urgent business.