

APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 18 March 2009

Chair:

Councillor Denis McKenna

Councillors Present:

David Baillie, Pam Clearie, Bev Gauld, Bill Holman, Hamish Stewart

Attending:

Corporate Resources

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 (18/08) by an employee of Community Resources against his dismissal.

The appellant was present and represented by D Leitch, Unison. The Council was represented by L Rhind, Personnel Services Manager, Community Resources. 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 been substantiated in part and the appeal be upheld to the extent that:-

- ♦ the dismissal be substituted with a period of unpaid absence from the date of dismissal until reinstatement on 19 March 2009
- ♦ the appellant be:-
 - ♦ issued with a final written warning
 - ♦ redeployed to a suitable post which would not involve operating any machinery
 - ♦ referred to the Employee Counselling Service

4 Urgent Business

There were no items of urgent business.