

APPEALS PANEL

Minutes of meeting held in Committee Room 5, Council Offices, Almada Street, Hamilton on 1 December 2011

Chair:

Councillor Hugh Dunsmuir

Councillors Present:

David Baillie, Bev Gauld, James Malloy, Chris Thompson, Sheena Wardhaugh

Attending:

Finance and Corporate Resources

S Brown, Personnel Adviser; S McLeod, Administration Officer

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 (Ref 16/11) by a former employee against his dismissal.

The appellant was present and was represented by A Cairns, General Municipal Boiler Makers and Allied Trade Unions (GMB). The Council was represented by the Personnel Manager of the appellant's former Resource. Both sides called witnesses. All parties were heard in relation to the appeal and then withdrew from the meeting.

Councillor Dunsmuir, seconded by Councillor Thompson, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld. Councillor Gauld, seconded by Councillor Baillie, moved as an amendment that the appeal had been substantiated in part and the appeal be upheld to the extent that dismissal be replaced 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.