

DRAFT

FALKIRK COUNCIL

**Minute of meeting of the Appeals Committee held in the Municipal Buildings,
Falkirk on Wednesday 7 November 2018 at 9.30 a.m.**

Councillors:

David Alexander
Gary Bouse (Convener)
Jim Blackwood
Lynn Munro
John Patrick
Pat Reid

Officers:

Kathleen Docherty, Senior Human Resources Adviser
Jack Frawley, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager

A6. Apologies

Apologies were intimated on behalf of Councillors Collie and Spears.

A7. Declarations of Interest

There were no declarations of interest.

A8. Minutes

Decision

The minutes of meeting of the Appeals Committee held on 14 September 2018 was approved.

A9. Exclusion of Public

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following item of business on the ground that it would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the said Act.

A10. Appeal Against Dismissal

The Committee considered papers relating to an Appeal against dismissal which included (a) Note of Procedure; (b) Submission from the Head of Social Work Adult Services dated 29 October 2018, and (c) Copies of core documents relating to the Appeal.

The Interim Legal Services Manager and the Senior Human Resources Adviser were in attendance as legal adviser and personnel adviser to the Committee respectively.

The Appellant, Mr G, was present and confirmed he was happy to proceed with the hearing without representation.

The Head of Social Work Adult Services and Human Resources Team Leader (Operations) (S Ricketts) were present as representatives of the Council.

The Appellant presented his case.

The Head of Social Work Adult Services indicated that he had no questions for the Appellant.

Members of the Committee then asked questions of the Appellant.

The Head of Social Work Adult Services then presented the case on behalf of the Council.

The Appellant indicated that he had no questions for the Head of Social Work Adult Services.

Members of the Committee then asked questions of the Head of Social Work Adult Services.

The Head of Social Work Adult Services summarised the case on behalf of the Council.

The Appellant summarised his case.

The parties to the appeal withdrew.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to discipline and dismiss Mr G from Council service was not justified in all the circumstances of this case. Accordingly the appeal was **UPHELD**.

The parties to the appeal were recalled and the decision intimated to them.