

Draft

FALKIRK COUNCIL

Minute of meeting of the Appeals Committee held in the Municipal Buildings, Falkirk on Thursday 22 February 2018 at 9.30 a.m.

Councillors:

David Alexander
Gary Bouse (Convener)
James Kerr
Lynn Munro

Officers:

Tracey Gillespie, Human Resources Manager
Rose Mary Hoey, Interim Legal Services Manager
Antonia Sobieraj, Committee Services Officer

A19. Apologies

Apologies were intimated on behalf of Councillors Collie, McLuckie and Reid.

A20. Declarations of Interest

No declarations were made.

A21. Minutes

Decision

The minutes of meetings of the appeals committee held on 29 September and 8 November 2017 were approved.

A22. 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.

A23. 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 Procurement and Housing Property dated 9 January 2018; and (c) Copies of core documents relating to the Appeal.

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

As a preliminary matter, the Appellant's representative made a request that G Allan, Unison be present as an observer to this appeal. The Head of Procurement and Housing Property intimated there was no objection to the request. After consideration, the Committee agreed to this request.

The Appellant, Mr R, was present and was accompanied by R Paterson, Unison.

The Head of Procurement and Housing Property and Human Resources Team Leader (J Simpson) were present as representatives of the Council.

The Appellant's representative presented the case.

The Head of Procurement and Housing Property indicated that he had no questions for the Appellant or his representative.

Members of the Committee then asked questions of the Appellant's representative.

The Head of Procurement and Housing Property presented the case on behalf of the Council.

The Appellant's representative then asked questions of the Head of Procurement and Housing Property.

Members of the Committee then asked questions of the Head of Procurement and Housing Property.

The Head of Procurement and Housing Property then summarised the case on behalf of the Council.

The Appellant's representative summarised the 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 dismiss Mr R from Council service was reasonable in all the circumstances. Accordingly the appeal was **REFUSED**.

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