

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on wavy lines representing water. The top-right quadrant shows a stag's head with large antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

# **Agenda Item 3**

## **Minute**

Draft

**FALKIRK COUNCIL**

**Minute of meeting of the Appeals Committee held remotely on Friday 17 September 2021 at 9.30 a.m.**

**Councillors:** David Alexander  
Jim Blackwood  
Gary Bouse  
James Kerr  
John McLuckie  
Lynn Munro  
Robert Spears

**Officers:** Tracey Gillespie, Human Resources Manager  
Jack Frawley, Team Leader - Committee Services  
Rose Mary Hoey, Interim Legal Services Manager

**A6. Apologies**

There was an apology from Councillor Collie.

**A7. Declarations of Interest**

There were no declarations of interest at this point.

**A8. Minute**

**Decision**

**The minute of meeting of the Appeals Committee held on 28 May 2021 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 items of business on the ground that they 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 Final Written Warning**

The Committee considered papers relating to an Appeal against a Final Written Warning which included (a) Note of Procedure; (b) Submission from the Waste Manager dated 6 September 2021; 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.

The Appellant, Mr S, was present and accompanied by Mr Sp, Unite.

The Waste Manager and HR Team Leader (Operations) were present as representatives of the Council.

The Appellant's representative presented the case on behalf of the Appellant.

The Waste Manager intimated he had no questions for the appellant.

Members of the Committee then asked questions of the Appellant.

The Waste Manager presented the case on behalf of the Council.

The Appellant's representative asked questions of the Waste Manager.

Members of the Committee then asked questions of the Waste Manager.

The Waste Manager summarised the case on behalf of the Council.

The Appellant's representative summarised the Appellant's case.

The parties to the appeal withdrew.

Councillor Spears declared a non-financial interest in the item as the appellant's representative was a family member and stated that he considered that this required him to recuse himself from consideration of the item. Councillor Spears then left the meeting.

The Committee agreed to adjourn at 10.15am to consider its decision and reconvened at 10.35am with all members present as per the sederunt with the exception of Councillor Spears.

The Committee, having given careful consideration to all of the submissions made, **AGREED** that the decision taken by management to issue Mr S with a final written warning was reasonable in all the circumstances. Accordingly the appeal was **REFUSED**.

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