

**THE HIGHLAND COUNCIL
FINANCE, HOUSING AND RESOURCES COMMITTEE'S APPEALS COMMITTEE**

Minute of Meeting of the Finance,
Housing and Resources Committee's
Appeals Committee held in Council
Headquarters, Inverness on Monday
4 November 2013 at 10.00 a.m.

PRESENT:

Mr D Fallows
Dr D Alston
Mr G MacKenzie

Miss J Campbell
Mr D Mackay
Mr F Parr

Officials in Attendance:-

Mr J Batchelor, Head of Human Resources, Chief Executive's Service (Adviser to the Committee)
Ms K Wood, Appellant's Representative
Ms D Milton, Area Manager, Health and Social Care Service (Management Side)
Mrs B Johnstone, HR Business Partner, Chief Executive's Service (Management Side)
Mr A MacInnes, Administrative Assistant, Chief Executive's Service

Mr D Fallows in the Chair

BUSINESS

1. Apologies

Apologies for absence were intimated on behalf of Mr A Christie, Mr N Donald, and Mr H Morrison.

2. Declarations of Interest

The Committee **NOTED** that there were no declarations of interest expressed.

3. Exclusion of the Public

The Committee **RESOLVED** that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A of the Act.

4. Appeal No.11/2013 – Appeal against Dismissal

There had been circulated a written Statement of Case prepared by the Management Side, a written Statement of Case prepared by the Appellant, and a copy of the Appeals Hearing Procedure.

The Chairman welcomed both parties to the Hearing.

In accordance with the Appeals Procedure, Ms D Milton, Area Manager, Health and Social Care Service presented the Management Side case, during which a witness was called and heard. Thereafter, the Appellant's Side presented their case to the Committee.

Following questioning and after the Management Side and the Appellant had summed up their respective cases, both parties withdrew to allow the Committee to deliberate in private.

Having given careful consideration to the various issues raised, the Committee **AGREED** that the grounds of the appeal had been substantiated in part and that the appeal be upheld to the extent that a more appropriate disposal is a Final Written Warning, conditional on the Appellant attending Occupational Health and following subsequent Occupational Health recommendations.

The meeting ended at 1.05 p.m.