

**THE HIGHLAND COUNCIL  
RESOURCES COMMITTEE'S APPEALS COMMITTEE**

Minute of Meeting of the Resources  
Committee's Appeals Committee  
held in Council Headquarters,  
Inverness, on Thursday, 12  
February, 2015 at 10.30 a.m.

**PRESENT:**

Dr D Alston  
Miss J Campbell  
Mr D Mackay

Mr H Morrison  
Mr F Parr  
Ms M Smith

Officials in Attendance:-

Ms E Barrie, Human Resources Manager, Corporate Development Service  
(Adviser to the Committee)

Ms S MacLeod, Head of Health, Care and Learning Service (Management Side)

Mrs B Johnstone, HR Business Partner, Corporate Development Service  
(Management Side)

Mr D Martin (Appellant's Representative)

Mr A MacInnes, Administrative Assistant, Corporate Development Service

**Dr D Alston in the Chair**

**BUSINESS**

**1. Apologies**

Apologies for absence were intimated on behalf of Mr A Christie and Mrs G Ross.

**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.18/2015 – Grievance Appeal**

There had been circulated a written Statement of Case prepared by the Appellant's Side, a written Statement of Case prepared by the Management Side,

and a copy of the Appeals Hearing Procedure.

The Chairman welcomed both parties to the Hearing.

In accordance with the Appeals Procedure, the Appellant's Side presented their case, during which one witness was called and heard. Thereafter, the Management Side presented their case.

Following questioning, and after the Management Side and the Appellant's Side 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 the Committee:

- confirmed that the Appellant did not access the site as a Facilities Management Assistant;
- confirmed that the site manager did not ask the Appellant twice to leave the premises;
- expressed their concern about the management of the site, which was such that it allowed the Appellant to access the site and interact with workmen;
- expressed concern about the lack of clarity in the allocation of responsibilities between the Head Teacher and the Contractor;
- noted that failures in the initial process have been identified by the Investigating Officer and should be addressed internally.

The meeting ended at 12.55 p.m.