

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

Minute of Meeting of the Resources  
Committee's Appeals Committee  
held in Council Headquarters,  
Inverness on Friday, 30 October,  
2015 at 2.00 p.m

**PRESENT:**

Mr B Fernie  
Mr A Mackinnon  
Mr D Millar

Mr F Parr  
Mrs M Smith

Officials in Attendance:-

Mr J Batchelor, Head of People and Performance, Corporate Development  
Service (Adviser to the Committee)

Mr J Steven, Head of Education, Care and Learning Service (Management Side)

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

Mr A MacInnes, Administrative Assistant, Corporate Development Service

**Mr B Fernie in the Chair**

**BUSINESS**

**1. Apologies**

Apologies for absence were intimated on behalf of Ms F Robertson, Dr D Alston, Mr G Rimell (OCB) and Mr B Lobban.

**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 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, Mr J Steven, Head of Education, presented the Management Side case. Thereafter, the Appellant's Side presented their case to the Committee.

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 a more appropriate sanction was a Final Written Warning, conditional on the Appellant attending Occupational Health and following subsequent Occupational Health recommendations.

The meeting ended at 2.55 p.m.