

Highland Council

Corporate Resources Committee

Minute of Meeting of the **Corporate Resources Committee's Appeals Committee** held in Council Headquarters, Inverness on Friday, 16 March 2018 at 10.00 a.m.

PRESENT

Mr A MacKinnon
Mr M Reiss
Mr B Lobban

Mrs L MacDonald
Dr I Cockburn
Mr C Smith

Officials in Attendance:-

Mr J Steven, Head of Education, Care and Learning Service (Management Side)
Ms F Grant, Human Resources (Management Side)
Mr P MacPherson, GMB (Appellant's Representative)
The Appellant
Mr S Walsh, Head of People and ICT, Corporate Resources Service (Adviser to the Committee)
Mr A MacInnes, Administrative Assistant, Chief Executive's Service (Clerk to the Committee)

Mr A MacKinnon in the Chair

BUSINESS

1. Apologies

Apologies for absence were intimated on behalf of Mr A Baxter, Ms K Steven and Mr G MacKenzie.

2. Declarations of Interest

There were no declarations of interest.

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's Side, 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 and thereafter, Mr P MacPherson, GMB presented the Appellant's Side 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 it was agreed:

- that the Appellant be reinstated with the Council, with the provision that the Appellant undertakes re-training on Highland Council Procedures and Employee Code of Conduct; and
- that a more appropriate sanction is a Written Warning.

The meeting ended at 12.10 p.m.