

## NOTICE OF MEETING

A **MEETING** of the **APPEALS PANEL** will be held in **ROOM 18, OLD VIEWFORTH, STIRLING**, on **MONDAY 24 OCTOBER 2011** at **10.00 a.m.**

**ELIZABETH M DUNCAN**  
*Chief Governance Officer*  
Clerk to the Council

7 October 2011

### B U S I N E S S

**1 APOLOGIES AND SUBSTITUTIONS**

**2 PROCEDURE AT APPEALS HEARINGS** (Pages 1 - 2)

**E3 APPEAL HEARING**

(para 1)

- (a) [List of Attendees](#) (Pages 3 - 4)
- (b) [Notice of Appeal against Dismissal dated 3 August 2011](#)(Pages 5 - 6)
- (c) [Submissions from Appellant](#) (Pages 7 - 8)
- (d) [Submissions from Management](#) (Pages 9 - 48)

**Note: Any Agenda item which has the prefix 'E' is not for publication in terms of the paragraph(s) indicated of Schedule 7A of the Local Government (Scotland) Act 1973. The press and public will be excluded during consideration of the items so marked.**

(For further information contact – Ann Dromgoole 01786 - 443296)

**THIS REPORT RELATES  
TO ITEM 2  
ON THE AGENDA**

## **STIRLING COUNCIL APPEALS PANEL**

### **Procedure at Appeals/Grievance Hearings**

1. The appellant (the person submitting the appeal/grievance) will be given notice in writing at least 5 working days in advance of the time and place of the Hearing. The appellant can be represented by a Trade Union Shop Steward or another person and can call witnesses and produce documents which are relevant to his/her defence.
2. At any Appeal/Grievance Hearing an adviser from Personnel Services and an adviser from Legal Services will be present to assist the Panel.
3. The appellant's representative or appellant will put the appellant's case in the presence of the management's representative.
4. The management's representative will have the opportunity to ask questions of the appellant's representative or appellant and of any witnesses called by the appellant's representative or appellant.
5. The management's representative will put the management's case in the presence of the appellant's representative and/or appellant.
6. The appellant's representative or appellant will have the opportunity to ask questions of the management's representative and of any witnesses called by the management.
7. The Appeals Panel will have the opportunity to ask questions of the management's representative and of the appellant and/or the appellant's representative, and of any witnesses.
8. The management's representative and after that the appellant's representative or appellant will have the opportunity if they wish to sum up their case, introducing no new material.
9. The management's representative and the appellant and the appellant's representative and any witnesses will then leave the Hearing.
10. The Appeals Panel, together with the officers appointed to assist the Panel, will deliberate in private, only recalling the management's representative and the appellant and the appellant's representative to clarify points of uncertainty on evidence already given. If recall is necessary, both parties are to return, even if only one is concerned with the point giving rise to doubt.
11. If practicable, the Appeals Panel will announce its decision to the management's representative and the appellant and the appellant's representative, at the conclusion of the meeting. In any event, the decision will be confirmed in writing to the appellant's representative or appellant by the officer appointed as Clerk to the Panel within ten days.