

STIRLING COUNCIL

MINUTES of MEETING of the APPEALS PANEL held by Virtual Meeting on MICROSOFT TEAMS, on TUESDAY 1 SEPTEMBER 2020 at 1 pm.

Present:-

Councillor Scott FARMER (in the Chair)

Councillor Neil BENNY

Councillor Danny GIBSON

Also In Attendance:-

Pamela Forsyth, HR Business Partner Manager
Kristine Johnson, Chief Officer HR & OD (HR Adviser to the Panel)
Kevin Kelman, Chief Operating Officer – People (CEdO)
Julia Mountford, Solicitor
Carla Roth, Solicitor – Litigation (Legal Adviser to the Panel)
Karen Swan, Committee Officer (Clerk)

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

AP8 APPEAL AGAINST DISMISSAL

The Appellant, a former employee of Stirling Council, had submitted an appeal against the decision to dismiss them from their post.

The Appellant was accompanied by their Trade Union representative.

Kevin Kelman, Chief Operating Officer – People (CEdO) represented management along with Pamela Forsyth, HR Business Partner Manager and Julia Mountford, Solicitor.

The Chair welcomed all in attendance to the meeting, initiated brief introductions and explained the procedure that would be followed.

Responding to a request from the Trade Union representative for additional information to be included within the in papers as part of the Appellant's submission, the Chair requested clarity from the Appellant in respect to the context of additional documents. Following clarification, the Panel agreed that only the timeline of events and Regulatory body documents would be allowed to be included as additional information within the Appellant's submission.

The Appellant and their Trade Union representative presented their case.

The management side and Members of the Appeals Panel, supported by their advisers, were given the opportunity to ask questions of the Appellant and their representative.

The Chief Operating Officer – People (CEdO) presented the management case.

The Appellant and their representative and members of the Appeals Panel, supported by their advisers, were given the opportunity to ask questions of management.

Both parties then summed up their respective cases before they withdrew from the meeting at 3.50 pm to allow the Panel to consider the evidence put before it.

All parties were advised that an Adviser to the Panel would initially contact them to confirm the Panel's decision later that day. The decision of the Panel would also be confirmed in writing to all relevant parties.

Decision

Having considered all of the evidence presented, the Panel did not agree with the reasons for appeal put forward by the Appellant.

It was therefore the view of the Panel that the Appeal was not upheld and therefore the dismissal still stood.

(Reference – Procedure at Appeals Hearings and Written Submissions, previously circulated)

The Chair declared the meeting closed at 4.30 pm