

STIRLING COUNCIL

MINUTES of MEETING of the APPEALS PANEL held in the DRUMMOND ROOM, VIEWFORTH, STIRLING on WEDNESDAY 4 DECEMBER 2019 at 10.30 am.

Present:-

Councillor Alistair Berrill (in the Chair)

Councillor Scott FARMER

Councillor Graham HOUSTON

Also In Attendance:-

Audrey Crawford, Senior HR Business Partner

Kristine Johnson, Chief Officer – HR (HR Adviser to the Panel)

Kevin Kelman, Chief Operating Officer – People/Chief Education Officer

Julia Mountford, Solicitor (Legal Adviser to the Panel)

David McDougall, Governance 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.

AP6 APPEAL AGAINST DISMISSAL

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

The Appellant was accompanied by their Trade Union representative Lorraine Thomson of Unison.

Kevin Kelman, Chief Operating Officer – People/Chief Education Officer (Chair of the Disciplinary Hearing) represented management along with Audrey Crawford, Senior HR Business Partner (HR Adviser to the Disciplinary Panel).

The Chair explained the procedure that would be followed at the meeting.

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/Chief Education Officer presented the management case with one witness.

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

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

After the Panel had deliberated, the Appellant, the Appellant's representative and the Management side rejoined the meeting to hear the decision.

Decision

The Appeals Panel first noted that there was no criticism or negative reflection on the quality or standard of the work undertaken by the Appellant in their role.

However having considered all of the evidence presented the Panel did not agree with any of the reasons for appeal put forward by the Appellant. It was therefore the unanimous view of the Panel that the Appeal was not upheld and therefore the dismissal still stood.

It was noted that the decision of the Appeals Panel would be confirmed in writing to the Appellant and all relevant parties..

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

The Chair declared the meeting closed at 12.25pm