

## STIRLING COUNCIL

**MINUTES of MEETING of the APPEALS PANEL held by Virtual Meeting on MICROSOFT TEAMS, on WEDNESDAY 28 OCTOBER 2020 at 10.00 am.**

**Present:-**

Councillor Jim THOMSON (in the Chair)

Councillor Neil BENNY

Councillor Alison LAURIE

**Also In Attendance:-**

Lydia Brown, Assistant HR Business Partner  
Jennifer Burns, Solicitor  
Pamela Forsyth, HR Advice & Policy Manager  
Kristine Johnson, Chief Officer HR (HR Adviser to the Panel)  
Julia Mountford, Solicitor (Legal Adviser to the Panel)  
Bruce Reekie, Senior Manager – Environment & Place  
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.**

### **AP9 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.

Bruce Reekie, Senior Manager – Environment & Place, represented management along with Pamela Forsyth, HR Advice & Policy Manager and Jennifer Burns, Solicitor.

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

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 Senior Manager – Environment & Place 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 11:50 am to allow the Panel to consider the evidence put before it.

All parties were advised that the Clerk to the Panel would initially contact them by telephone 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, it was the decision of the Panel that the grounds of appeal put forward by the Appellant were not upheld. The allegations against the Appellant, amounting to gross misconduct were upheld and dismissal was the appropriate sanction in the circumstances.

The appeal was therefore not upheld and the dismissal stood.

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

The Chair declared the meeting closed at 12.30 pm