

Employee Appeals Panel

A meeting of Employee Appeals Panel was held on Monday, 21st April, 2008.

Present: Cllr Mrs Kath Nelson (Chairman); Cllr Ian Dalgarno and Cllr Fred Salt.

Officers: C Lindsay, D McGuire (HR); R Bradley, M Robinson (DNS); J Douglas (LD).

Also in attendance: J B (Appellant), Mr Russell (Support to J B).

Apologies: Cllr Rix.

**EAP
4/08** **Declarations of Interest**

No interests were declared.

**EAP
5/08** **Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

**EAP
6/08** **Appeal Against Dismissal - J B**

The Chairman introduced the Panel Members to the Appellant and Mr Russell who acting in the capacity as an impartial support to the Appellant and the management side representatives.

The appeal hearing was conducted in accordance with Dr Brechin's recommendations in that the pace at which management presented their case was checked with the Appellant to ensure it was not too fast and the Appellant confirmed that it was acceptable. In addition two 10 minute breaks were taken during the management presentation. During her opening introductions the Chair of the panel explained to the Appellant that he could ask for a break at any time during the hearing.

The management side presented their case which was supported by documentation circulated to the Panel and the Appellant. Two witnesses were called as part of the presentation. Questions were then invited from the Appellant and elected Members of the Panel.

The Appellant then outlined the case for appeal, which was then followed by questions from the management representative and then Members. Mr Russell read out a final summing up on behalf of the Appellant.

RESOLVED that after full and detailed consideration the Panel determined that the appeal be not upheld.