

Motherwell, 19 June 2006 at 10 am.

**A Meeting of the POLICY AND RESOURCES (PERSONNEL APPEALS)
SUB-COMMITTEE**

PRESENT

Councillor McElroy, Convener; Councillors Higgins, Irvine, Lunny, McCallum, McKenna, Morris and Saunders.

CHAIR

Councillor McElroy (Convener) presided.

IN ATTENDANCE

The Committee Services Manager and Chief Personnel Officer (Operations), Department of Administration.

APOLOGIES

Councillors Burns, McKeown, Robertson and Ross.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Act.

CHIEF EXECUTIVE'S DEPARTMENT - APPEAL AGAINST DISMISSAL

1. There was submitted intimation dated 13 April 2006 by UNISON, on behalf of appellant 08/2006 of an appeal against dismissal, together with a report dated 24 May 2006 by the Chief Executive in explanation of the circumstances leading to the dismissal.

The Sub-Committee then heard representations and submissions from the Corporate Communications Manager, as representative of the Chief Executive's Department, and representations and submissions from the appellant's representative, Vivian Lindsay, UNISON and the appellant.

Thereafter, both parties withdrew from the meeting.

Councillor Saunders, seconded by Councillor McElroy, moved that the grounds of the appeal had not been substantiated and the appeal be not upheld.

Councillor McCallum, seconded by Councillor Irvine, moved, as an amendment, that the grounds of the appeal had been substantiated in part and that the appeal be upheld to the extent that the appellant be reinstated and issued with a final written warning.

On a vote being taken, 2 Members voted for the amendment and 6 Members voted for the motion, which was accordingly declared carried.

Both parties were re-admitted to the meeting.

Decided: that the grounds of the appeal had not been substantiated and the appeal be not upheld.

Councillors Irvine and McCallum asked that their dissent be recorded.