

**MINUTES of MEETING of APPEALS COMMITTEE held in the SKYPE
on MONDAY, 19 APRIL 2021**

Present: Councillor Rory Colville (Chair)

Councillor Gordon Blair	Councillor Roderick McCuish
Councillor George Freeman	Councillor Jean Moffat

Attending: Patricia O'Neill - Governance Manager
Stuart McLean – Committee Manager
Jim Smith – Head of Roads and Infrastructure Services
Tom Murphy – Operations Manager
Seona Laird – HR Service Centre Team Leader
Appellant
Appellant's Representative

1. APOLOGIES FOR ABSENCE

There were no apologies for absence intimated.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

The Council resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

E1 3. CONSIDER APPEAL AGAINST DISCIPLINARY - DISMISSAL

The Chair outlined the process and arrangements for the meeting which was being held by Skype in light of government guidance and Coronavirus legislation on public gatherings in response to the Covid-19 pandemic.

The Committee gave consideration to evidence presented on behalf of the Appellant and the Employer in regard to the case for an appeal against dismissal under the terms of the Council's Disciplinary Policy and Procedure.

When asked, both parties confirmed that they had received a fair hearing.

During consideration of the case in private session the Chair ruled, and the Committee agreed, to adjourn the meeting for 30 minutes to allow for a comfort break and recommenced at 3.15 pm.

In reaching the decision with regards to the outcome of the Appeal the Committee agreed to a delay in relaying this to both parties until the morning of the 21st April in order to facilitate the next steps with regards to the outcome.

Decision

The Appeals Committee resolved that the grounds of the appeal had been substantiated and the appeal be upheld.