

**MINUTES of RE-CONVENED MEETING of APPEALS COMMITTEE held BY MICROSOFT
TEAMS
on TUESDAY, 14 DECEMBER 2021**

Present: Councillor Rory Colville (Chair)

Councillor Mary-Jean Devon	Councillor Roderick McCuish
Councillor David Kinniburgh	Councillor Jean Moffat

Attending: Tricia O'Neill, Governance Manager
Stuart McLean, Committee Manager
Ross McLaughlin, Head of Commercial Services
Seona Laird, HR Service Centre Team Leader
Appellant
Appellant's Representative

1. APOLOGIES

There were no apologies for absence intimated.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTE OF PREVIOUS MEETING HELD ON 26 NOVEMBER 2021

The minute of the previous meeting, held on Friday, 26 November 2021, was approved as a correct record.

The Committee 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 **4. CONSIDER APPEAL AGAINST GRIEVANCE**

The Chair advised that in terms of the Grievance Procedure, the Committee would only be in a position to consider those matters which had already been considered in the course of the grievance process and would not consider any new items of those which had been considered as part of a separate process.

The Committee gave consideration to submitted evidence on behalf of the Appellant and the Employer in regard to the case for appeal against grievance.

The Chair moved and the Committee agreed, to adjourn the meeting to allow for further consideration of the information presented. The Committee thereafter reconvened on Wednesday, 15 December 2021.

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

Decision

The Appeals Committee resolved that the grounds of the appeal have been substantiated in part and the appeal be partially upheld.