

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 1 MARCH 2019.

Present – Councillors George Paul (Chair), Tom Conn, Peter Heggie, Dom McGuire

Apologies – Councillors Chris Horne, Dave King, Andrew McGuire

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTES

- a) The Committee confirmed the Minute of its meeting held on 17 January 2019 as a correct record. The Minute was thereafter signed by the Chair
- b) The Committee confirmed the Minute of its meeting held on 25 January 2019 as a correct record. The Minute was thereafter signed by the Chair.
- c) The Committee confirmed the Minute of its meeting held on 1 February 2019 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The committee resolved in terms of Paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 that the remaining items of business be taken in private.

3. CONSIDERATION OF APPEAL

Introductions were made by all parties and the Chair explained the procedure that would be followed.

The committee was invited to consider an appeal by a former employee under the Sickness Absence Management Policy and Procedure.

The management was represented by Jo MacPherson, Head of Social Policy and was accompanied by Vera Muir, Senior HR Adviser. The management called 2 witnesses.

At the request of the appellant the Committee agreed on 17 January 2019 that it would to consider the case in his absence and that a date was to be set for that hearing.

The Committee heard the management and witnesses speak in relation to the appeal.

The Committee had an opportunity to question the management and witnesses in turn.

Finally, the management summed up the merits of the case.

All parties then left the room to allow the Committee to deliberate in private.

After reaching its decision all parties returned to hear the decision of the Committee.

#### Decision

1. Having considered the evidence submitted by all parties and verbal submissions at the hearing the Committee agreed that the service had correctly followed the Sickness Absence Management Policy and Procedure.
2. The Committee therefore found that the grounds of the appeal had not been substantiated and the appeal be not upheld.