

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, LIVINGSTON, on 5 DECEMBER 2014.

Present – Councillors John McGinty (Chair), Harry Cartmill, Tom Conn, Anne McMillan, John Muir, George Paul, Jim Walker

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. 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. APPEAL AGAINST DISMISSAL

The committee was invited to consider an appeal against dismissal by a former employee of Housing, Construction and Building Services under the council's Disciplinary Code and Disciplinary Procedure.

The management was represented by Alistair Shaw (Head of Housing, Construction and Building Services), Gillian Cairney (Senior HR Advisor), Gillian Green, Lynda Gallagher, Gillian McAlister, Martyn Simpson, Grant Taylor, Sarah Kelly attended as a witness.

The appellant was present and was accompanied by her representative Martin Murray (Unison). Two of her former colleagues attended as witnesses.

The committee heard the management and their witnesses speak in relation to the report.

The appellant and representative were given the opportunity to question the management and their witnesses in turn.

The committee members were given the opportunity to question the management and their witness.

The committee heard the appellant, her representative and witnesses speak in relation to the appeal.

The management were given the opportunity to question the appellant her representative and witnesses in turn.

The committee members were given the opportunity to question the appellant, her representative and witnesses.

Finally, each side summed up before their case.

All parties then left the room to allow the committee to consider its decision in private.

After reaching its decision, the parties returned to hear the decision from the Chair.

#### Decision

1. The committee agreed that the grounds of the appeal were not substantiated and therefore the appeal was not upheld.
2. The committee also agreed that the disciplinary action taken would stand.