

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, LIVINGSTON, on 22 MAY 2015 AT 9.00AM.

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

1. DECLARATIONS OF INTEREST

Councillor Frank Anderson declared a non-financial interest in that he was a member of the PCS union.

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. CONSIDERATION OF APPEAL

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

The management was represented by Jane Kellock (Head of Social Policy) and Vera Muir (HR Adviser).

The appellant was presented and accompanied by his mother.

The committee was advised that a Medical Adviser would not be in attendance and 5.3 of the Sickness Absence Management Policy and Procedure states:-

- In cases involving dismissal where the decision to dismiss was taken after consideration of medical evidence, whether direct or indirect, a report by the Medical Adviser will be submitted to the committee. The Medical Adviser will attend the appeal hearing as a witness on behalf of the service. Independent medical evidence may be introduced on behalf of the appellant.

Therefore the committee agreed that the appeal hearing would be adjourned to allow a Medical Adviser to be in attendance.

Decision

Adjourned to a date yet to be decided to allow a Medical Adviser to be in attendance.