

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 20 NOVEMBER 2015.

Present – Councillors John McGinty, Frank Anderson, Harry Cartmill, Tom Conn, Anne McMillan, Frank Anderson and Myra Macpherson, Appointed Representative

1. DECLARATIONS OF INTEREST

Councillor Frank Anderson declared a non-financial interest in that he was an ordinary member PCS and took part in the meeting.

2. MINUTES

- a) The committee confirmed the Minute of its meeting held on Friday 16 October 2015 as a correct record.
- b) The committee confirmed the Minute of its meeting held on 2 November 2015 as a correct record.

3. CONSIDERATION OF APPEAL

The committee was invited to consider an appeal by a former member of Education Services under the council's Sickness Absence Management Policy and Procedure.

The management was represented by James Cameron, Head of Education (Development) and Mark Grierson, HR Advisor. Dr Marshall, Occupational Health Physician attended as a witness. The witness did not remain and was only called to give evidence.

The appellant was present with her union representative Terry Gray (EIS) and her partner. The appellant did not call any witnesses.

The committee heard the management representative and witness speak in relation to the appeal.

The appellant and her union representative were given an opportunity to question the management and witness.

The committee had an opportunity to question the management and witness.

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

The management was given an opportunity to question the appellant and her representative.

The committee had an opportunity to question the appellant and her

representative.

Finally, each side summed up 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 found that the grounds of the appeal were partially substantiated and that the appeal be upheld in part.
2. The appellant was to be re-instated to the post held prior to dismissal from 18 June 2015 to 3 October 2015.