

Appeals Board - 25 October 2012

**APPEALS BOARD
25 October 2012**

PRESENT: Councillor Mark Anderson - Vice-Chairman in the Chair;
Councillors Derek Borthwick, Anniina Davie and Alistair Russell.

The meeting commenced at 10:04am

SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No Items

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

50. APOLOGIES

Apologies were received from Councillor Montrose - Chairman

51. DECLARATIONS OF INTEREST

The Vice-Chairman advised that he had received a phone call from Councillor Morgan regarding the appellant and issues concerning the appeals process. The HR advisor to the Panel confirmed that the Vice-Chairman should continue to hear the personnel appeal

52. EXCLUSION OF THE PRESS AND PUBLIC

DECISION MADE:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

53. PERSONNEL APPEAL

The Board considered an appeal against dismissal on grounds of gross misconduct.

In considering the appeal the Board had regard to the supporting information provided by the appellant and by the Local Authority, including

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verbal submissions made by the appellant and the Local Authority at the meeting.

DECISION MADE:

That, having taken careful note of all the evidence presented by both parties, the appeal in respect of the appellant named in Report 'A' is upheld.

The meeting closed at 3.00 pm.

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