

**THE HIGHLAND COUNCIL  
RESOURCES COMMITTEE'S APPEALS COMMITTEE**

Minute of Meeting of the Resources  
Committee's Appeals Committee  
held in the Council Headquarters,  
Glenurquhart Road, Inverness on  
Friday, 31 October, 2008 at 10.20  
a.m.

**PRESENT:**

Mrs C Wilson  
Mr M Rattray

Mr W Fernie  
Mrs P Munro

Officials in Attendance:-

Mr J Batchelor, Head of Personnel, Chief Executive's Service (Adviser to the Committee)  
Mr J Ritchie, Area Education, Culture and Sport Manager (Ross, Skye and Lochalsh)  
Mrs P Lemon, Area Personnel Adviser, Chief Executive's Service  
Mr N Ramsay, Anderson Shaw and Gilbert Solicitors (Appellant's Representative)  
Miss J MacLennan, Democratic Services Manager, Legal & Democratic Services

**Mrs C Wilson in the Chair**

**BUSINESS**

**1. APOLOGIES**

Apologies for absence were intimated on behalf of Mr A M Millar and Mrs D Mackay.

**2. EXCLUSION OF THE PUBLIC**

The Committee **RESOLVED** that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A of the Act.

**3. APPEAL NO. 80 – GRIEVANCE APPEAL**

There had been circulated written Statement of Case prepared by the Appellant's Side, a written Statement of Case prepared by the Management Side, and a copy of the Appeals Hearing Procedure.

The Chairman welcomed both parties to the meeting, and in accordance with the

Appeals Procedure, the Appellant's representative presented the Appellant's case. Thereafter, the Area Education, Culture and Sport Manager (Ross, Skye and Lochalsh) presented the Management Side's case to the Committee.

Following questioning and after the Management Side and the Appellant's Side had summed up their respective cases, both parties withdrew to allow the Committee to deliberate in private.

Having given careful consideration to the various issues raised, the Committee **AGREED** that the appeal had been substantiated in part and that the appeal be upheld to the extent that:-

- a letter would be sent to the Appellant by the Director of Education, Culture & Sport confirming their permanent employment status with the Council and confirming that the Service would continue to search for a suitable permanent redeployment to a school in Inverness;
- arrangements would be put in place as soon as possible to ensure that the Appellant was able to use the workstation within the new School building and, if this was not possible, suitable alternative arrangements would be made;
- a payment of salary equivalent to 1 year and 11 days (less normal deductions for tax, National Insurance and superannuation) to be made (without prejudice) to the Appellant.

The meeting ended at 1.40p.m.

**THE HIGHLAND COUNCIL  
RESOURCES COMMITTEE'S APPEALS COMMITTEE**

Minute of Meeting of the Resources  
Committee's Appeals Committee  
held in the Council Headquarters,  
Glenurquhart Road, Inverness on  
Friday, 31 October, 2008 at 2.00  
p.m.

**PRESENT:**

Mrs C Wilson  
Mr M Rattray

Mr W Fernie  
Mrs P Munro

Officials in Attendance:-

Mr J Batchelor, Head of Personnel, Chief Executive's Service (Adviser to the  
Committee)  
Mr B Alexander, Head of Integrated Children's Services, Social Work Services  
Miss E Barrie, Personnel Manager, Chief Executive's Service  
Mr B Crabtree, GMB (Appellant's Representative)  
Miss J MacLennan, Democratic Services Manager, Legal & Democratic Services

**Mrs C Wilson in the Chair**

**BUSINESS**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated on behalf of Mr A M Millar and Mrs D Mackay.

**2. EXCLUSION OF THE PUBLIC**

The Committee **RESOLVED** that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A of the Act.

**3. APPEAL NO. 81 – GRIEVANCE APPEAL**

There had been circulated written Statement of Case prepared by the Appellant's Side, a written Statement of Case prepared by the Management Side, and a copy of the Appeals Hearing Procedure.

The Chairman welcomed both parties to the meeting, and in accordance with the Appeals Procedure, the Appellant's representative presented the Appellant's case.

Thereafter, the Head of Integrated Children's Services presented the Management Side's case to the Committee.

Following questioning and after the Management Side and the Appellant's Side had summed up their respective cases, both parties withdrew to allow the Committee to deliberate in private.

Having given careful consideration to the various issues raised, the Committee **AGREED** that the grounds of the appeal had not been substantiated and that the appeal not be upheld.

The meeting ended at 2.45 p.m.