

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

Minute of Meeting of the Resources
Committee's Appeals Committee
held in Council Headquarters,
Inverness, on Thursday, 4
December, 2014 at 10.30 a.m.

PRESENT:

Ms M Smith
Dr D Alston
Miss J Campbell
Mr N Donald

Mr D Mackay
Mr H Morrison
Mr F Parr

Officials in Attendance:-

Ms E Barrie, HR Manager, Corporate Development Service (Adviser to the
Committee)
Ms N Murray, Facilities Services Manager, Education, Culture and Sport Service
(Management Side)
Ms B Johnstone, HR Business Partner, Corporate Development Service
(Management Side)
Ms A Coburn, Lochaber CAB (Appellant's representative)
Ms A Macrae, Committee Administrator, Corporate Development Service

Dr D Alston in the Chair

BUSINESS

1. Apologies

Apologies for absence were intimated on behalf Mr A Christie and Mrs G Ross.

2. Declarations of Interest

The Committee **NOTED** that there were no declarations of interest expressed.

3. 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.

4. Appeal No.16/2014 – Appeal against Termination of Employment

There had been circulated a 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 Hearing.

In accordance with the Appeals Procedure, Ms N Murray, Facilities Services Manager, Care and Learning Service, presented the Management Side case, during which one witness was called and heard. Thereafter, the Appellant's Side presented their case to the Committee.

Having given careful consideration to the various issues raised, the Committee **AGREED** that the grounds of the appeal had been substantiated to the extent that clear targets for improvement were not set and there was therefore insufficient grounds to conclude that the appellant was not capable of undertaking her duties to a satisfactory level taking into account reasonable adjustments for her medical condition. The appeal was therefore upheld and the appellant reinstated.

The Committee advised that a meeting would now be arranged between the appellant, and if she wished a representative, and the management side to arrange for the appellant's return to work.

The meeting ended at 1.15pm.