

## APPEALS SUB COMMITTEE

ABERDEEN, 26 January 2022. Minute of Meeting of the APPEALS SUB COMMITTEE. Present:- Councillor Macdonald, Convener; and Councillors Cameron, Duncan and Reynolds.

### CONFIDENTIAL INFORMATION

**The press and public were excluded from the meeting for consideration of the following item which contained confidential information in terms of Section 50A 3(b) of the Local Government (Scotland) Act 1973.**

### APPEAL 21/02

1. The Sub Committee had before it the papers circulated relative to the appeal against the decision of Aberdeen City Council to dismiss the Appellant identified in the Register of Appeals as appeal 21-02. The Sub Committee considered the appeal in accordance with procedure.

The Sub Committee heard submissions on behalf of both parties. Members questioned the Management Representative and the Appellant on the evidence given. Both parties then made a closing statement.

The meeting was then adjourned to allow the Sub Committee to deliberate in private. Thereafter the hearing was re-convened to allow the parties to hear the Sub Committee's decision.

The Convener moved, seconded by Councillor Duncan:-  
that the Committee, on the basis of the evidence, should dismiss the appeal on the grounds that it was satisfied that Management had acted fairly and reasonably in this matter and consequently that the decision to dismiss the Appellant on grounds of gross misconduct should be upheld.

Councillor Reynolds moved as an amendment, seconded by Councillor Cameron:-  
that on the basis of the evidence, that the appeal be upheld and that the appellant be reinstated but demoted to a lower rank position within the education environment.

On a division, there voted:- for the motion (2) – the Convener and Councillor Duncan - for the amendment (2) – Councillors Cameron and Reynolds.

There being an equality of votes, in terms of Standing Order 32.7, the Convener exercised her casting vote in favour of the motion.

**The Sub Committee resolved:**  
to adopt the motion

**APPEALS SUB COMMITTEE**

26 January 2022

- COUNCILLOR SANDRA MACDONALD, Convener