

APPEALS SUB COMMITTEE

ABERDEEN, 19 April 2022. Minute of Meeting of the APPEALS SUB COMMITTEE. Present:- Councillor Allan, Convener; and Councillors Al-Samarai, Cameron, Copland and Macdonald.

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 22/02

1. The Sub Committee had before it the papers circulated relative to the appeal against the decision of Aberdeen City Council to demote and provide a final written warning to the Appellant identified in the Register of Appeals as appeal 22-02. The Sub Committee considered the appeal in accordance with procedure.

The Sub Committee heard submissions on behalf of both parties. Two witnesses were called on behalf of Management and the Sub Committee also heard from the Appellant and their Trade Union representative. Members questioned the Management Representative, their two witnesses and the Appellant on the evidence given. Both parties then made a closing statement.

The Sub Committee resolved:

- (i) on the basis of the evidence, to unanimously uphold the appeal to the extent of overturning the decision to dismiss the Appellant, thereby reinstating them to their post, and varying the dismissal to a final written warning, to remain in place for twelve months of work from 19 April 2022, in accordance with the Council's Managing Discipline Policy and Procedure; and
- (ii) to instruct that a further Occupational Health referral be made and an appropriate support plan be put in place.

- **COUNCILLOR YVONNE ALLAN, Convener**