

## **Strathclyde Partnership for Transport**

### **Minute of Personnel Appeals Sub-Committee meeting**

**25 September 2008**

held at: Consort House, Glasgow

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## Minute of the meeting of the Strathclyde Partnership for Transport's Personnel Appeals Sub-Committee held in Consort House, Glasgow, on 25 September 2008

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<b>Present</b>	Councillors David Wilson (Chair), David Fagan, Bobby McDill, Marie McGurk, David McLachlan and Alistair Watson.
<b>Apologies</b>	Councillors Robert Burrows, Alex Hannah, Kaye Harmon, Douglas Hay, George Roberts, Ruth Simpson and Chris Thompson.
<b>Attending</b>	Valerie Davidson, Assistant Chief Executive (Business Support)/Secretary and Valerie A Bowen, Senior Clerk.

### 1. Exclusion of press and public

The Sub-Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the press and public from the meeting, as exempt information, as defined in paragraph 1 of Part 1 of Schedule 7A, was likely to be disclosed.

### 2. Appeal against dismissal (SPT02)

The Sub-Committee considered an appeal against dismissal by an employee previously employed on Subway Operations.

The appellant was in attendance and was represented by an adviser. The Director of Human Resources and Organisational Development represented SPT.

The Sub-Committee heard both parties fully on the case, including witnesses and, after questions, both parties withdrew.

Following consideration, the Sub-Committee agreed to postpone its decision, pending consideration of the next item of business.

### 2. Appeal against dismissal (SPT03)

The Sub-Committee considered an appeal against dismissal by an employee previously employed on Subway Operations.

The appellant was in attendance and was represented by a Trade Union official. The Director of Human Resources and Organisational Development represented SPT.

The Sub-Committee heard both parties fully on the case, including witnesses and, after questions, both parties withdrew.

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### **3. Decision**

The Sub-Committee resumed consideration of both appeals and having heard and considered carefully all the documents and evidence, agreed

- (1) that the grounds of both appeals had been substantiated in part and accordingly that the appeals be upheld;
- (2) that both appellants had been found nevertheless to be in breach of SPT's disciplinary policy by their own admission;
- (3) to rescind the decision to dismiss both appellants and substitute this with the following:
  - that both appellants be suspended from post without pay from 18 August 2008 for a period of 6 weeks;
  - that both appellants be issued with a final written warning to be kept on file for a period of one year;
  - that any further inappropriate behaviour should result in dismissal; and
  - that both appellants undertake a course in anger management and that appellant SP03 also undertake a course in supervisory skills.

Thereafter, both the appellants, together with their representatives, were re-admitted to the meeting independently and advised of the Sub-Committee's decision.