

Strathclyde Partnership for Transport

Minute of Personnel Appeals Sub-Committee meeting

6 March 2012

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 6 March 2012

Present Councillors Denis McKenna (Chair), David Fagan, Kaye Harmon and Jim McNally.

Attending Valerie Davidson, Assistant Chief Executive (Business Support)/Secretary; Valerie A Bowen, Senior Clerk and Debbie Mackie, HR Operations Manager.

1. Declaration of interest

The committee noted that there were no declarations of interest.

2. Election of Chair

It was agreed that Councillor McKenna take the Chair.

3. 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.

4. Appeal against dismissal (SPT11)

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

The appellant was in attendance. Debbie Mackie, HR Operations Manager, represented SPT.

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

Following consideration of the appeal and having heard and considered carefully all the documents and evidence, the Sub-Committee

- (1) concluded
 - (a) that the grounds of the appeal had been substantiated in part and accordingly that the appeal be upheld;
 - (b) that the appellant had not been treated differently on the grounds of gender or that process had been flawed; and

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- (c) that the appellant had been found nevertheless to be in breach of SPT's Code of Conduct and Internet/E-mail policies, both of which were serious matters, and had demonstrated that the appellant did not have the skills and judgement required to fill a managerial post; and
- (2) agreed to rescind the decision to dismiss the appellant and substitute this with the following:
- that the appellant be issued with a final written warning in relation to the breaches outlined at (c) above, to be kept on file for a period of one year. This final warning would also outline any standards and training required; and
 - that the appellant be re-appointed to a downgraded post which did not hold managerial responsibility.

Thereafter, the appellant and SPT's representative were re-admitted to the meeting and advised of the Sub-Committee's decision.