

ABERDEENSHIRE COUNCIL**APPEALS COMMITTEE****WOODHILL HOUSE, ABERDEEN, 12 DECEMBER, 2016**

- Present:** Councillors J Ingram (Chair), G Blackett, K Clark, I Davidson and I S Tait.
- Apologies:** Councillor E A Robertson.
- Officers:** Legal Service Manager (Alistair Stobie); HR Team Leader (Glenda Gray); and Senior Committee Officer (Frances Brown), all Business Services.
- Also Present:** Head Teacher – Fetterangus Primary School, HR Advisor (Aileen Strachan) and the appellant and the appellant's representative.

1. DECLARATION OF MEMBERS' INTERESTS

No interests were declared by any member of the Committee, in terms of the Councillors' Code of Conduct.

2A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to :-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B. RESOLUTION

The Committee **agreed**, in terms of Section 50 A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, to exclude the public from the meeting during consideration of the matters before them so as to avoid disclosure of exempt information of the class described in paragraph 1 of Part 1 of Schedule 7A of the Act.

3. APPEAL – GRIEVANCE APPEAL (CASE NO. 347)

The Committee had under consideration, in accordance with the procedure recommended for the local hearing of appeals by employees on matters other than those of disciplinary nature, a grievance appeal by a member of staff (identified in the Register of Appeals as Case No. 347).

The Committee heard both parties to the appeal, who then withdrew from the meeting to allow members to deliberate in private.

After consideration, the Committee **agreed** that the grounds of the appeal had not been substantiated and that the appeal should not be upheld.

The parties were recalled to the meeting and advised of the Committee's decision.