

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held in the Council Offices, Rosebery Place, Clydebank on Tuesday 4 March 2003 at 9.30 a.m.

**Present:** Councillors James Bollan, Mary Campbell Ian McDonald and Ronnie McColl.

**Attending:** Nigel Ettles, Principal Solicitor.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Geoffrey Calvert and James McCallum.

**Councillor Ronnie McColl in the Chair**

### **EXCLUSION OF PRESS AND PUBLIC**

The Committee approved the following resolution:-

"That under Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act".

### **APPEAL AGAINST DEMOTION AND FINAL WRITTEN WARNING**

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a demotion and final written warning. There was also submitted a Note of the procedure to be followed at the Hearing of the Appeal.

The Appellant was present and was represented by Mick Conroy of the GMB. The Department in which the Appellant was employed was represented by Christine Adam, Solicitor.

Ms Adam called as witnesses Brian Lafferty, Section Head (Depots), and Willie Croft, Property Services Manager. The witnesses were questioned by Ms Adam, Mr Conroy, Members of the Committee and again by Ms Adam.

Mr. Conroy called the Appellant as a witness. The Appellant was questioned by Mr. Conroy, Ms Adam, Members of the Committee and again by Mr. Conroy. Mr. Conroy called as a witness John Flaherty, Window Fabricator. Mr. Flaherty was questioned by Mr. Conroy, Ms Adam and Members of the Committee. Mr. Conroy then called Ina Glover as a witness. Ms Glover was questioned by Mr. Conroy and Members of the Committee.

Ms Adam and then Mr Conroy summed up their respective cases and thereafter both parties withdrew from the meeting. After the Committee had deliberated the matter in private, both parties were re-admitted to the Meeting and advised that the grounds of the Appeal had been substantiated in part and the Appeal had been upheld to the extent that the Appellant was

reinstated as a Window Fabricator with effect from 11 March 2002. The final written warning was reduced to a written warning admissible against further misdemeanour for a period of six months from 11 March 2002.

The meeting concluded at 1.10 p.m.