

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held within the Council Offices, Rosebery Place, Clydebank on Thursday 20 April 2000 at 10.15 a.m.

- Present:** Councillors Anthony Devine (LAB), Mary Campbell (LAB) and Mary Collins (LAB).
- Attending:** Nigel Ettles, Principal Solicitor.
- Apologies:** Apologies for absence were intimated on behalf of Councillors John Trainer (LAB), Duncan McDonald (LAB), Ronald McColl (SNP) and Ian McDonald (SNP).

**Councillor Anthony Devine 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 of the Act".

### **APPEAL AGAINST DISMISSAL**

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a dismissal. There was also submitted a Note of Interim Procedures which it was agreed would be adopted at the Appeal Hearing.

The Appellant was neither present nor represented. The Authority was represented by Owen Mullan, Solicitor.

After discussing the options available to them, the Committee decided to adjourn the Hearing in order to ascertain the Appellant's position with regard to the Appeal.

The meeting closed at 10.45 am.

### **RECONVENED MEETING**

The Committee was reconvened on Thursday 11 May 2000 at 1 0.00 am. The Members present were Councillors Anthony Devine (LAB), Mary Campbell (LAB), Duncan McDonald (LAB) and Ian McDonald (SNP). Apologies for absence were intimated on behalf of Councillors John Trainer (LAB) and Mary Collins (LAB). Mr Ettles was in attendance as was Alex Thomson, Senior Personnel Officer. Councillor Devine was again in the Chair.

The Appellant was, not present but was represented by John Brannigan of the Transport and General Workers' Union. The Authority was again represented by Owen Mullan, Solicitor.

Mr Brannigan made a statement on behalf of the Appellant. There was then a general discussion after which Mr Brannigan and Mr Mullan both sought an adjournment of the Hearing. Both parties then withdrew to allow the Committee to consider the request for an adjournment.

After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the request for an adjournment had been granted.

The meeting closed at 1 1.00 am.

### **RECONVENED MEETING**

The Committee was reconvened on Thursday 25 May 2000 at 10.00 am. The Members present were those who had attended the meeting on 11 May 2000. Mr Ettles was in attendance as was Gerry McInerney, Manager of Personnel. Councillor Devine was again in the Chair.

The Appellant was not present but was again represented by John Brannigan of the Transport and General Workers' Union. The Authority was not represented.

Mr McInerney provided the Committee with advice and Mr Brannigan made a further statement on behalf of the Appellant. Thereafter Mr Brannigan and Mr McInerney withdrew from the meeting.

After the Committee had deliberated the matter in private, Mr Brannigan and Mr McInerney 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 be reinstated with a period of suspension of two weeks without pay (from 11-25 February 2000), being substituted for the dismissal.

The meeting closed at 10.25 am.