

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in the Council Offices, Garshake Road, Dumbarton on Tuesday 5 April 2005 at 9.30am.

Present: Councillors Margaret Bootland, Jackie Maceira, James McCallum and George Black.

Attending: Nigel Ettles, Principal Solicitor.

Apologies: Apologies for absence were intimated on behalf of Councillors Linda McColl, James Bolland and Connie O'Sullivan.

Councillor Margaret Bootland in the Chair

EXCLUSION OF PRESS AND PUBLIC

5677 The Committee approved the following resolution:-

5678 "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 DISMISSAL (REF: APP/05/01)

5679 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 the procedure to be followed at the Hearing of the Appeal.

5680 The Appellant was present and was represented by Tom Morrison of Unison. The department in which the Appellant had been employed was represented by Raymond Lynch, Solicitor.

5681 Mr Lynch called as a witness Anne Marie McDonald, Area Manager, Social Work Services. Ms McDonald was questioned by Mr Lynch, Mr Morrison, Members of the Committee and again by Mr Lynch. Mr Lynch then called as a witness Anne Marie Cosh, Personnel Officer, Social Work Services. Ms Cosh was questioned by Mr Lynch, Mr Morrison and Members of the Committee.

5682 Mr Morrison presented the case for the Appellant and was then questioned by Mr Lynch and Members of the Committee. The Appellant was also questioned by Members of the Committee.

5683 Mr Lynch and then Mr Morrison 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 not been substantiated and the Appeal had not been upheld.

The meeting closed at 12.20pm.