

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held in The Brock, Council Offices, 16 Church Street, Dumbarton on Thursday, 13 December 2018 at 10.33 a.m.

**Present:** Councillors Jim Brown, Karen Conaghan, John Mooney and Lawrence O'Neill.

**Attending:** Victoria Rogers, Strategic Lead – People & Technology; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer.

**Councillor Karen Conaghan in the Chair**

### **DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest.

### **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”.

### **PROCEDURE**

The Committee agreed to note the Appeals Committee Hearings – Dismissal Appeals Process would be followed at this Hearing of Appeal.

### **APPEAL AGAINST DISMISSAL (REF:APP/18/06)**

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a Dismissal.

The Appellant was present and represented by Mr Andy McCallion, Unison. Ms Denise McKinnon, Education Officer, was in attendance to present the case on behalf of Management. Miss Geraldine Lyden, HR Business Partner, was in attendance as an Adviser to Ms McKinnon.

Ms McKinnon presented the case for Management and called LMcC, CM and CC as witnesses. LMcC, CM and CC were heard in answer to questions from Ms McKinnon and Mr McCallion and Members of the Committee. Ms McKinnon gave evidence herself and was questioned by Members of the Committee.

Mr McCallion presented the case for the Appellant and the Appellant was questioned by Mr McCallion, Ms McKinnon and Members of the Committee.

Ms McKinnon and then Mr McCallion 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 was not upheld.

The meeting closed at 3.57 p.m.