

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held within the Council Offices, Rosebery Place, Clydebank on Tuesday 11 December 2001 at 10.00 am.

**Present:** Councillors Mary Campbell, Anthony Devine and Duncan McDonald.

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

**Apology:** An apology for absence was intimated on behalf of Councillor Ronald McColl.

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

The Appellant was present and was represented by David Stark of the Transport & General Workers' Union. The department in which the Appellant had been employed was represented by Louise McHugh, Solicitor.

Ms McHugh called as witnesses Lorraine Coyne, Manager of Audit, Robert Davidson, Section Head - Catering and Cleaning and Pat Bradley, Personnel Officer. After giving evidence the witnesses were questioned by Mr Stark and Members of the Committee.

Mr Stark then called the Appellant as a witness. After giving evidence the Appellant was questioned by Ms McHugh and Members of the Committee.

Ms McHugh and then Mr Stark 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 would be re-engaged as a basic grade cleaner in a school other than the school in which she had been working at the time of the events which led to her dismissal. The period between the date of dismissal and the date of re-engagement would be a period of broken service and so the Appellant would not be paid for that period.

The meeting closed at 12.45 pm.