

APPEALS COMMITTEE

At a meeting of the Appeals Committee held within the Council Suite, Council Offices, Rosebery Place, Clydebank on Tuesday 3 October 2000 at 10 a.m.

Present: Councillors Anthony Devine (LAB), Duncan McDonald (LAB), John McDonald (SNP) and Mary Campbell (LAB).

Attending: Audrey Ritchie, Principal Solicitor, Legal and Administrative Services.

Apologies for Absence: Apologies for absence were intimated on behalf of Councillor Mary Collins (LAB) and Councillor Ronald McColl (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 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 Interim Procedures which it was agreed would be adopted at the Appeal Hearing.

The Appellant was present and was represented by Michael Conroy of GMB. The Authority was represented by Morag Dalziel, Solicitor.

Ms. Dalziel called as a witness Jacqueline McAdam, Social Care Officer at Dalreoch House. After giving evidence Ms. McAdam was questioned by Mr. Conroy, in the course of which Mr. Conroy made reference to three statements, including one by Ms. McAdam which were not included in the papers before the Committee. The Committee agreed to allow Ms. Dalziel the opportunity to consider the statements. The Hearing adjourned at 10.15 a.m. and resumed at 10.30 a.m., following which the Committee took time to consider the statements, there being no objection on the part of Ms. Dalziel to their production. Mr. Conroy then continued with his questioning of the witness and, thereafter, she was questioned by members of the Committee.

Ms. Dalziel next called as a witness David Alexander Walker, Social Care Officer at Dalreoch House. After giving evidence, Mr. Walker was questioned by Mr. Conroy and members of the Committee.

Ms. Dalziel then led evidence from Christine Allan, Acting Unit Manager at Dalreoch House. Ms. Allan was questioned by Mr. Conroy and members of the Committee. Ms. Dalziel's next witness was Agnes Trotter, Assistant Principal Officer (Community Care). After giving evidence, she was questioned by Mr. Conroy and members of the Committee.

Finally, Ms. Dalziel called David John Docherty, Section Head (Elderly Care) as a witness. After giving evidence, he was questioned by Mr. Conroy and members of the Committee.

At 1.20 p.m. the Committee agreed to adjourn for a lunch break. The Hearing resumed at 2 p.m., following which Mr. Docherty was further questioned by members of the Committee.

The Appellant gave his evidence and was questioned by Ms. Dalziel and members of the Committee. Ms. Dalziel and Mr. Conroy then summed up their respective cases and, thereafter, both parties withdrew from the Hearing.

After the Committee had deliberated the matter in private, both parties were re-admitted to the Hearing and advised that the grounds of Appeal had not been substantiated and the Appeal be not upheld.

The Hearing closed at 3.10 p.m.