

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 28 November 2013 at 9.30 a.m.

Present: Councillors Jim Brown, David McBride, Michelle McGinty, Patrick McGlinchey and Tommy Rainey.

Attending: Vicki Rogers, Head of People & Transformation; Nigel Ettles, Principal Solicitor and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Councillor Tommy Rainey 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”.

APPEAL AGAINST DISMISSAL (REF: APP/13/12)

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 in attendance and was represented by Brian Johnstone of the GMB. Patricia Marshall, ICT Manager, was in attendance to present the case for management. Linda McAlister, HR Business Partner, was in attendance as an Adviser to Ms Marshall.

Ms Marshall presented the case for Management and called PMcG and GL as witnesses. PMcG and GL were questioned by Ms Marshall, Mr Johnstone and Members of the Committee. Ms Marshall was questioned by Members of the Committee and Mr Johnstone.

Mr Johnstone presented the case for the Appellant and he and the Appellant were questioned by Ms Marshall and members of the Committee.

Ms Marshall and then Mr Johnstone 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 1.25 p.m.