

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held within the Council Offices, Rosebery Place, Clydebank on Thursday 15 June 2000 at 10.00 a.m.

**Present:** Councillors Anthony Devine (LAB), Duncan McDonald (LAB) and Ian McDonald (SNP).

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

**Apologies:** Apologies for absence were intimated on behalf of Councillors Ronald McColl (SNP) and Mary Campbell (LAB).

**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 represented by Mr. M. Conroy, Regional Organiser, GMB. The Authority was represented by Morag Dalziel, Solicitor.

Mr. Conroy sought an adjournment of the Hearing on the ground that he wished to speak to potential witnesses who were employees of the Council. Ms. Dalziel objected to the proposed adjournment and gave reasons for her objection. Both parties then withdrew to allow the Committee to consider the request for an adjournment.

After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the request for an adjournment had been granted.

The meeting closed at 10.45 a.m.

### **RECONVENED MEETING**

The adjourned meeting of the Appeals Committee from 15 June 2000 reconvened in the Council Suite, Council Offices, Rosebery Place, Clydebank on Thursday 17 August 2000 at 10 a.m.

**Present:** Councillors Anthony Devine (LAB), Duncan McDonald (LAB), Ian McDonald (SNP) and Ronald McColl (SNP).

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

**Apologies for Absence:** Apologies for absence were intimated on behalf of Councillor Mary Campbell (LAB).

### **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 Mr. M. Conroy of the GMB. The Authority was represented by Ms. Dalziel, Solicitor.

Ms. Dalziel called as a witness Mr. George Paul, formerly the Manager of Audit for the Authority. After giving evidence Mr. Paul was questioned by Mr. Conroy and Members of the Committee.

Ms Dalziel then called as a witness Susannah Walsh-Dady, Unit Manager, Mount Pleasant Elderly Persons Home. After giving evidence Ms Walsh-Dady was questioned by Mr. Conroy and Members of the Committee.

Ms Dalziel also called Ms. Anne Ritchie, Head of Social Work. After giving her evidence, Ms. Ritchie was questioned by Mr. Conroy and members of the Committee.

At 12.15 p.m. the Committee adjourned for a short break. The meeting reconvened at 12.50 p.m. with those Members shown on the above sederunt present.

The Appellant then gave her evidence, after which she was questioned by Ms. Dalziel and members of the Committee.

Mr. Conroy called as a witness Allison Bayne, Social Care Worker at the Mount Pleasant Elderly Persons Home. After giving evidence Ms. Bayne was questioned by Ms. Dalziel and members of the Committee.

Mr. Conroy next called Craig Stevenson, Social Care Worker at the Mount Pleasant Elderly Persons Home as a witness. In respect of his evidence there were no questions from either Ms. Dalziel or the Members of the Committee.

Ms. Dalziel and then Mr. Conroy 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 be not upheld.

The meeting closed at 2.45 p.m.