

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held in The Brock, Council Offices, 16 Church Street, Dumbarton on Thursday, 25 October 2018 at 9.30 a.m.

**Present:** Councillors Karen Conaghan, Ian Dickson, 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/18/05)**

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 Charlie McDonald, Unite the Union. Mr Ian Bain, Greenspace Manager, was in attendance to present the case on behalf of Management. Mrs Anne Marie Cosh, HR Business Partner, was in attendance as an Adviser to Mr Bain.

Mr Bain presented the case for Management and was heard in answer to questions from Mr McDonald and a Member of the Committee.

Mr McDonald then presented the Appellant's case. Mr McDonald and the Appellant were heard in answer to questions from Mr Bain and Members of the Committee.

Mr Bain and then Mr McDonald 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 and the Appeal was upheld.

The meeting closed at 11:30 a.m.