

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 30 January 2014 at 9.30 a.m.

Present: Councillors Jim Brown, David McBride, Tommy Rainey and Hazel Sorrell.

Attending: Nigel Ettles, Principal Solicitor; Paul McGowan, HR and Workforce Development Manager 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/13/13)

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 Joanne Harkin of Unison. Paula Godfrey, Manager – Looked After Children’s Services, was in attendance to present the case for management. Linda McAlister, HR Business Partner, was in attendance as an Adviser to Ms Godfrey.

Ms Godfrey presented the case for Management and called IS, TB and JC as witnesses. IS, TB and JC were questioned by Ms Godfrey, Ms Harkin and Members of the Committee. Ms Godfrey was questioned by Members of the Committee and Ms Harkin.

Ms Harkin presented the case for the Appellant and she and the Appellant were questioned by Ms Godfrey and members of the Committee.

Ms Godfrey and then Ms Harkin 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 Committee had, very reluctantly, not upheld the Appeal.

The parties were also advised that the Committee had asked Human Resources to do everything possible, until the date of termination of the Appellant's employment (11 February 2014), to find the Appellant suitable redeployment.

The meeting closed at 1.30 p.m.