

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 28 March 2013 at 9.40 am.

- Present:** Councillors Tommy Rainey, Jim Brown, Hazel Sorrell and Michelle Stewart.
- Attending:** Nigel Ettles, Principal Solicitor, Paul McGowan, HR & Workforce Development Manager, and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.
- Apologies:** Apologies for absence were intimated on behalf of Councillors Jonathan McColl and Patrick McGlinchey.

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 items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A to the Act”.

MINUTES OF PREVIOUS MEETINGS

The Minutes of Meeting of the Committee held on 25 October 2012 were submitted and approved as a correct record. Approval of the Minutes of Meeting of the Committee held on 28 February 2013 was continued to a future meeting of the Committee.

APPEAL AGAINST DISMISSAL (REF: APP/13/04)

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 Charlie McDonald of Unite. Martin Feeney, Section Head, Maintenance and Repairs, was in attendance to present the case for Management and Anne-Marie Cosh, HR Business Partner, HEED, was in attendance as an adviser to Mr Feeney.

Mr Feeney presented the case for Management and was questioned by Mr McDonald and Members of the Committee.

Mr McDonald presented the case for the Appellant and the Appellant was questioned by Mr Feeney and Members of the Committee.

Mr Feeney and then Mr McDonald summed up their respective cases and thereafter both parties withdrew from the meeting. At the request of the Committee, Mr McGowan remained at 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 11.23 am.