

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 20 March 2014 at 9.45 a.m.

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

Attending: Nigel Ettles, Principal Solicitor; Paul McGowan, HR and Workforce Development Manager and Nuala Quinn-Ross, Committee Officer, Legal, Democratic and Regulatory Services.

Apology: An apology for absence was intimated on behalf of Councillor Jonathan McColl.

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/14/01)

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 William McGonagle of Unite. Lynda McLaughlin, Facilities Manager, was in attendance to present the case for management. Anne-Marie Cosh, HR Business Partner, was in attendance as an Adviser to Ms McLaughlin.

Ms McLaughlin presented the case for Management and called EMcF as a witness. EMcF was questioned by Ms McLaughlin and Mr McGonagle. Ms McLaughlin was

questioned by Members of the Committee and Mr McGonagle. Ms Cosh was also heard in response to Members' questions.

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

Ms McLaughlin and then Mr McGonagle 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 Committee had considered sympathy for the position in which the Appellant had found herself. However, the Committee had decided that the grounds of the Appeal had not been substantiated and the Appeal had not been upheld.

The meeting closed at 11.55 a.m.