

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Thursday 9 August 2007 at 9.45 a.m.

Present: Councillors George Black, James Bollan, Jim Finn, William Hendrie and John Millar.

Attending: Nigel Ettles, Principal Solicitor.

Apology: An apology for absence was intimated on behalf of Councillor Margaret Bootland.

Councillor George Black 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
(REF: APP/07/09)**

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 present and was represented by Tom Rainey of Unison. The department in which the Appellant had been employed was represented by Maureen Hastings, Solicitor.

Ms. Hastings called as a witness Agnes Trotter, Assistant Principal Officer (Older People). Ms. Trotter was questioned by Ms. Hastings, Mr. Rainey, Members of the Committee and again by Ms. Hastings. Ms. Hastings then called as a witness Ilene McCollum, Assistant Personnel Officer. Ms. McCollum was questioned by Ms. Hastings, Mr. Rainey and Members of the Committee.

Mr. Rainey called the Appellant as a witness. The Appellant was questioned by Mr. Rainey, Ms. Hastings and again by Mr. Rainey.

Ms. Hastings and then Mr. Rainey 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 had been upheld. The Appellant was reinstated with a view to obtaining an appointment with the necessary specialist as soon as practicable - this to be supported by the Council.

The meeting closed at 11.32 a.m.