

## **APPEALS COMMITTEE**

At a Meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday, 17 March 2016 at 9.37 a.m.

**Present:** Councillors Jim Brown, Jonathan McColl, Tommy Rainey and Kath Ryall.

**Attending:** Vicki Rogers, Head of People and Transformation; Nigel Ettles, Principal Solicitor 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”.

### **PROCEDURE**

The Committee agreed to note the Appeals Committee Hearings – Dismissal Appeals Process would be followed at this Hearing of Appeal.

### **MINUTES OF PREVIOUS MEETINGS**

Continued from meeting of 11 February 2016, the Minutes of Meetings of the Appeals Committee held on 14 August 2014, 24 October 2014 and 19 March 2015 were submitted and approved as a correct record.

## **APPEAL AGAINST DISMISSAL (REF: APP/15/07)**

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a Dismissal.

The Appellant was in attendance and was represented by Simon Macfarlane of Unison. Terry Lanagan, Former Executive Director of Educational Services was in attendance to present the case on behalf of Management. Paul McGowan, HR & Workforce Development Manager, was in attendance as an Adviser to Mr Lanagan.

Mr Lanagan presented the case for Management and called GL and CO'B as witnesses. GL and CO'B were questioned by Mr Lanagan, Mr Macfarlane and Members of the Committee. Mr Lanagan was then questioned by Members of the Committee.

Mr Macfarlane and the Appellant presented the case for the Appellant. Mr Macfarlane and the Appellant were then questioned by Mr Lanagan and Members of the Committee.

Mr Lanagan and then Mr Macfarlane 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 Appeal had not been upheld.

The meeting closed at 2.30 p.m.