

APPEALS COMMITTEE

At a meeting of the Appeals Committee held within Committee Room 2, Council Offices, Garshake Road, Dumbarton on Thursday 15th January 1998.

Present: Councillors Anthony Devine (LAB), Patricia Rice (LAB), Ronald McColl (SNP) and William Mackechnie (SNP).

Attending: Stephen Brown, Manager - Legal and Administrative Services.

Apologies for absence: Apologies for absence were intimated on behalf of Provost Patrick O'Neill (LAB), Councillors Duncan Mills (LAB) and Andrew White (LAB).

CONVENER

In the absence of the convener, Provost O'Neill, it was agreed that Councillor Devine assume 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

Prior to commencement of the Appeal, Mr. Brown explained the reasons why the Council was dealing with this employee Appeal, despite the fact that the appellant was not an employee of the Council.

There were submitted background papers relating to an Appeal which had been submitted to the Council from an employee of the Clydebank Youth Information Cafe Project in relation to a dismissal. There was also submitted a Note of Interim Procedures to be adopted at the Appeal Hearing.

The Appellant was present and was represented by Denise McLafferty of UNISON. The Authority was represented by Nigel Ettles, Principal Solicitor, Legal and Administrative Services who led evidence from George Paul, Manager of Audit, Robert Cook, Education and Leisure Manager and Robert McLuskey, Community Education Worker. There was evidence led from the Appellant. Both sides summed up 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 was not upheld.