

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee held in the Brock Meeting Room, 16, Church Street, Dumbarton G82 1QL on Tuesday, 21 March 2023 at 9.30 a.m.

**Present:** Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay and Hazel Sorrell.

**Attending:** Victoria Rogers, Chief Officer – People and Technology; Michael McDougall - Legal Officer; Lynn Straker and Nicola Moorcroft, Committee Officers.

### **Councillor Gurpreet Singh Johal in the Chair**

#### **DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest.

#### **EXCLUSION OF PRESS AND PUBLIC**

The Committee agreed to approve 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 – Appeals Process would be followed at this Hearing of Appeal.

#### **APPEAL AGAINST DISMISSAL (REF: PER/DCP/2/01)**

There were submitted background papers relating to an appeal that had been submitted to the Council in relation to a dismissal.

The Appellant was present and represented by his Trade Union Representative Ms Margaret Wood (Unite).

Mr John Kerr, Housing and Development Manager, was in attendance to present the case on behalf of Management. Ms Leeanne Galasso, People and Change Partner, was in attendance as a Human Resources Adviser to Mr Kerr.

Mr Kerr presented the case for Management and thereafter answered questions from Ms Wood and Members of the Committee.

Ms Wood then presented the case for the Appellant. Ms Wood and the Appellant then answered questions from Mr Kerr and Members of the Committee.

Mr Kerr and then Ms Wood and the Appellant 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 upheld in part, with work to be done within the Service. Appellant to be re-engaged by West Dunbartonshire Council from the point of dismissal (17/01/2023) on a written warning, on file for six months. Management to determine, in consultation with the appellant, an appropriate role and location.

The meeting closed at 4.11 p.m.