

## **APPEALS COMMITTEE**

At a meeting of the Appeals Committee in the Council Suite, Council Offices, Rosebery Place, Clydebank on Tuesday 30 October 2001 at 9.30am.

**Present:** Councillors Anthony Devine and Ronnie McColl

**Attending:** Audrey Ritchie, Principal Solicitor, Legal & Administrative Services

**Apology for  
Absence:** An apology for absence was intimated on behalf of Councillor Duncan McDonald.

### **Councillor Anthony Devine 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 One of Part One of Schedule 7A to the Act."

## **CONTINUED GRIEVANCE APPEAL**

The background papers previously submitted to the Appeals Committee on 14 May 2001 were re-submitted. Also submitted was a Note of the Interim Procedures which it was agreed would be adopted at the Hearing.

The Appellant was present and was represented by Ms Kathleen Ryall of Unison. The Authority was represented by Mr Gerry McInerney, Head of Personnel.

Ms Ryall called the Appellant as a witness. At the close of the Appellant's evidence, Mr McInerney requested a short adjournment to ascertain from his witnesses whether they were aware of the detail of the Appellant's evidence. The Committee adjourned at 10.40am, reconvening at 10.50am.

Mr McInerney then advised the Committee that the Authority would be able to respond to the Appellant's allegations, except those relating to the latest matters. The Chair then adjourned the Hearing at 10.55am to consult with the Clerk to the Committee as regards further procedure. The Hearing reconvened at 11.05am.

The Chair advised that, in respect of the serious nature of a number of the allegations made by the Appellant, he and Councillor McColl would wish to have matters investigated and

reported on by the Corporate Services Department's Internal Audit Section before proceeding any further with the Hearing. Ms Ryall indicated that she would wish a short adjournment to discuss matters with the Appellant. The Hearing adjourned at 11.10am, re-convening at 11.20am.

Ms Ryall advised that the Appellant did not wish the matter of his grievance to be further continued, his position being that the Committee should make a decision on the basis of the evidence before it and any further evidence presented by the Authority. Mr McNerney advised that, if the Committee was satisfied that, at the stage reached, it had sufficient information before it to proceed then the Authority was prepared to present its case. The Chair advised that neither he nor Councillor McColl were so satisfied. The Committee decided to continue the Hearing to allow a report to be prepared by the said Internal Audit Section, thereafter, the Hearing would be reconvened.

Prior to the close of the meeting, Mr McNerney requested that Ms Ryall provide written detail of the Appellant's evidence as presented at the Hearing. Ms Ryall agreed to do so.

The meeting closed at 11.30am.