

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in the Brock Meeting Room, 16, Church Street, Dumbarton G82 1QL on Thursday, 28 March 2024 at 9.30 a.m.

Present: Councillors Gurpreet Singh Johal, Jonathan McColl, Karen Murray Conaghan and Hazel Sorrell.

Attending: Victoria Rogers, Chief Officer – People and Technology and Human Resources Advisor to the Committee; Michael McDougall - Legal Officer; and Nicola Moorcroft, Committee Officer.

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 – Grievance Appeals Process would be followed at this Hearing of Appeal.

APPEAL AGAINST STAGE 2 OUTCOME - GRIEVANCE (REF: APP/24/01)

There were submitted background papers relating to an appeal that had been submitted to the Council in relation to the outcome of a stage 2 Grievance Hearing.

The Appellant was present and represented by his Trade Union Representative Mr David Smith (Unison).

Mr Peter Hessett, Chief Executive 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 Hessel.

The Committee by way of a preliminary matter having heard from Mr Smith and Mr Hessel decided not to admit documents A5 and A19 as submitted by the Appellant and noted that Mr Smith was withdrawing document A1.

The Chair reminded Mr Smith that the purpose of the Appeal Committee was to consider the part of the grievance not upheld at Stage Two of the grievance procedure, namely the allegation of bullying.

Mr Smith presented the case for the Appellant. Mr Smith and the Appellant then answered questions from Mr Hessel and Members of the Committee.

Mr Hessel then presented the case for Management and thereafter answered questions from Mr Smith and Members of the Committee.

Mr Hessel and then Mr Smith 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 in the presence of the Legal Officer and Human Resources Advisor to the Committee, both parties were re-admitted to the meeting and advised that the grievance was not justified and the grounds of the appeal had not been upheld.

The Legal Officer advised that the decision would be issued in writing.

The meeting closed at 4.23 p.m.