

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in the Council Chambers, Council Offices, Rosebery Place, Clydebank on Tuesday 9 September 2003 at 9.30 a.m.

Present: Councillors Margaret Bootland, Connie O'Sullivan and James Bollan.

Attending: David Logan, Principal Solicitor and Alex Thomson, Section Head (Operations), Personnel and Training Division.

Apologies: Apologies for absence were intimated on behalf of Councillor Maceira Councillor Agnew and Councillor McCallum.

Councillor Margaret Bootland in the Chair

EXCLUSION OF PRESS AND PUBLIC

699 The Committee approved the following resolution:-

700 "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".

GRIEVANCE APPEAL REFERENCE APP/02/06

701 There was submitted a note of the procedures to be followed at the hearing of the Appeal.

702 The Appellants were both present and were represented by Mr. Tom Rainey, Union Official, Unison. The Department in which the Appellants are employed was represented by Mr. Pat Bradley, Personnel Officer.

703 The Appellants did not lead any witnesses in evidence. The Appellants referred to the Productions already lodged by them (pages 1-9 inclusive of submitted papers). A statement in support of the Appellants' case was made by Mr. Rainey.

704 Mr. Bradley did not call any witnesses nor did he lodge any Productions.

- 705 Following questioning of each side by Members both parties summed up their respective cases and then they withdrew from the meeting. The Committee deliberated in private and both parties were then re-admitted to the meeting. They were advised that the Members agreed to remit this matter to the September sitting of the Council and to recommend to Council that an interim arrangement be effected as soon as possible whereby the Appellants are entitled to obtain either prepayment of zone cards or the use of Council transport as the Director of Commercial and Technical Services shall deem fit, said zone cards to be used solely or mainly in the pursuance of their work.
- 706 Members further recommended that a report to Council be provided by the Chief Executive on transport, travel and subsistence with an analysis of the current system being provided, with a view to implementing a uniform policy, all in consultation with the Trades Unions.
- 707 The meeting adjourned at 11.30 a.m.
- 708 The meeting re-convened at 12 noon.

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- 709 There was submitted a note of the procedure to be followed at the hearing of the Appeal.
- 710 The Appellant was present and was represented by Mr. Charlie McDonald, Union Official. The Department in which the Appellant was employed was represented by Pat Bradley, Personnel Officer.
- 711 The Appellant did not lead any witnesses in evidence but did refer to Productions already lodged (pages 11-71 inclusive of Committee papers). A statement in support of the Appellant's case was made by Mr. McDonald.
- 712 Mr. Bradley did not lead any witnesses nor produce any Productions.
- 713 The parties were questioned by Members. Both parties then 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 substantiated and that the Appeal had been upheld and accordingly the Director of Commercial and Technical Services was directed to pay the sum of £500 as an ex-gratia settlement to the Appellant as soon as possible.

The meeting concluded at 1.05 p.m.