

APPEALS COMMITTEE

At a meeting of the Appeals Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Thursday 20 June 2013 at 9.40 a.m.

Present: Councillors Patrick McGlinchey, Kath Ryall, Hazel Sorrell and Michelle Stewart.

Attending: Nigel Ettles, Principal Solicitor, Paul McGowan, HR and Workforce Development Manager, and Craig Stewart, Committee Officer, Legal, Democratic and Regulatory Services.

Councillor Kath Ryall in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest.

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”.

GRIEVANCE APPEAL (REF: APP/12/04)

There were submitted background papers relating to an Appeal which had been submitted to the Council in relation to a grievance. There was also submitted a note of the procedure to be followed at the Hearing of the Appeal.

The Appellant was in attendance and was represented by Brian Johnstone of the GMB. Adrian McBride, Operations Manager, was in attendance to present the case for Management. Linda McAlister, Interim HR Business Partner, was in attendance as an Adviser to Mr McBride.

Mr Johnstone presented the case for the Appellant and he and the Appellant were questioned by Mr McBride and members of the Committee.

Mr McBride presented the case for Management and was questioned by Mr Johnstone, the Appellant and members of the Committee.

Mr McBride and then Mr Johnstone summed up their respective cases and thereafter both parties withdrew from the Meeting. At the request of the Committee, Mr McGowan remained at the meeting.

After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the Committee had found that the grievance, which by the time of the Hearing related only to the issue of compensation, was not justified and the Appeal had not been upheld.

However, the Committee expressed its dismay at the length of time which the grievance proceedings had taken to reach a conclusion and the distress which that had caused. The Committee also expressed its sincere hope that the Appellant would now be able to move on and continue to provide a valuable service to the Council.

The meeting closed at 12.55 p.m.