

APPEALS COMMITTEE

At a Meeting of the Appeals Committee held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday 13 September 2006 at 9.30 a.m.

Present: Councillors Tony Devine, George Black, James Bollan and Duncan McDonald.

Attending: Nigel Ettles, Principal Solicitor.

Councillor Tony Devine in the Chair

EXCLUSION OF PRESS AND PUBLIC

9953 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 APPEALS (REF: APP/06/06 AND APP/06/05)

9954 There were submitted background papers relating to Appeals which had been submitted to the Council in relation to grievances. There was also submitted a Note of the procedure to be followed at the Hearing of the Appeals.

9955 The Appellants were present and were represented by Michael Conroy of the GMB. The department in which the Appellants were employed was represented by Alistair Young, Solicitor.

9956 At the request of all parties, the Committee agreed that the two Appeals be heard together.

9957 Mr Conroy called the first Appellant (Ref: APP/06/06) as a witness. The first Appellant was questioned by Mr Conroy, Mr Young and Members of the Committee. Mr Conroy then called the second Appellant (Ref: APP/06/05) as a witness. The second Appellant was questioned by Mr Conroy and Mr Young.

9958 Mr Young called Anne Ritchie, Head of Social Work (Operations), as a witness. Ms Ritchie was questioned about the first Appellant's grievance by Mr Young, Mr Conroy and Members of the Committee.

9959 Mr Young and then Mr Conroy summed up their respective cases in respect of the first Appellant.

9960 Mr Young again called Ms Ritchie as a witness. Ms Ritchie was questioned about the second Appellant's grievance by Mr Young, Mr Conroy and Members of the Committee.

9961 Mr Young and then Mr Conroy summed up their respective cases in respect of the second Appellant and thereafter all parties withdrew from the meeting. After the Committee had deliberated the matter in private, all parties were re-admitted to the meeting. The parties were advised that the Committee found that the first Appellant's grounds of appeal had not been substantiated and therefore found that the first Appellant's appeal should not be upheld. The parties were further advised that the Committee found that the second Appellant's grounds of appeal had not been substantiated and therefore found that the second Appellant's appeal should not be upheld.

The meeting closed at 12.58 p.m.