

## **DUNBARTONSHIRE AND ARGYLL AND BUTE VALUATION JOINT BOARD**

At a Special Meeting of the Dunbartonshire and Argyll and Bute Valuation Joint Board held within the West Dunbartonshire Council Offices, Rosebery Place, Clydebank on Friday, 7 August, 1998.

**Present:** Councillors Ronald Kinloch, Fraser Gillies and George McMillan (Argyll and Bute Council); Councillor Keith Moody (East Dunbartonshire Council) and \*Provost George Cairney and Councillors Mary Campbell and Ronald McColl (West Dunbartonshire Council).

**Attending:** Duncan Wilson, Assessor and Electoral Registration Officer, William Mathieson, Depute Assessor, Robert Anderson, Principal Personnel Officer and David Rooney (substitute for Robert Ward, Clerk).

**Apologies for Absence:** Apologies for absence were intimated on behalf of Councillor John Allison (Argyll and Bute Council), Councillor Anne Cameron (East Dunbartonshire Council) and Councillors John Wailes and James McCallum (West Dunbartonshire Council).

\* Denotes not in attendance at outset of the meeting.

**Councillor Keith Moody, Depute Convener, in the Chair**

**THE LATE PROVOST PATRICK O'NEILL, O.B.E., J.P.**

Councillor Moody made reference to the sad death in May of the Convener of the Valuation Joint Board, the late Provost Patrick O'Neill of West Dunbartonshire Council.

It was agreed to record the regret of the members of the Joint Board at the loss of Provost O'Neill and the appreciation of the members with respect to the work which had been carried out by the late Provost O'Neill during his term of office as Convener of the Joint Board.

It was also agreed that Mrs. O'Neill should be informed of the matter having been raised.

**WELCOME TO NEW MEMBER OF THE JOINT BOARD**

Councillor Moody extended a welcome to Councillor Campbell who was attending her first meeting of the Joint Board following her recent appointment thereto.

## **GRIEVANCE AND DISCIPLINARY PROCEDURES**

There was submitted an explanatory note by the Assessor relative to the requirement to finalise Grievance and Disciplinary Procedures in view of an outstanding grievance related to the payment of Excess Travel Expenses and a recently submitted appeal against dismissal. There was also submitted a report by the Head of Personnel and Training of West Dunbartonshire Council putting forward proposals for an amended procedure to be adopted in respect of Grievance Appeals and a procedure to be adopted in respect of Disciplinary Appeals.

After hearing Mr. Anderson, Principal Personnel Officer, West Dunbartonshire Council it was noted that should a situation arise in the future whereby a grievance was submitted relative to a matter which could not be considered by an Appeals Committee of the Joint Board, the recommended course of action would be to refer the matter to the Scottish Council with the consent of the Joint Secretaries; the only alternative being that the aggrieved employee agrees to vary his/her conditions of service to allow the Appeals Committee to hear the matter.

Following discussion it was agreed:-

- (a) that the Appeals Committee to be established be empowered to deal with both grievance and disciplinary appeals;
- (b) that the proposed procedure to be adopted in relation to Grievance Appeals, as detailed in Appendix 1 to the report, be approved subject to correction of typographical etc. errors; and
- (c) that the proposed procedure to be adopted in relation to Disciplinary Appeals, as detailed in Appendix 2 to the report, be approved subject to correction of typographical etc. errors and subject to the undernoted amendments:-

### Amendments

#### Background Papers/Productions

- (i) Any background papers/productions which are intended to be submitted at a hearing may be exchanged between the parties involved in advance of hearings.
- (ii) In the case of disciplinary appeals, members of the Appeals Committee should only receive copies of letters intimating punitive disciplinary action taken and letters of appeal in advance of hearings.

It was further agreed that copies of the approved procedures to be adopted in relation to Grievance Appeals and Disciplinary Appeals, incorporating the amendments referred to above, would be circulated to all members of the Joint Board for information and that the Standing Orders of the Joint Board would be altered to include a reference to both procedures.

## FORMATION OF APPEALS COMMITTEE

Consideration was given to the formation of an Appeals Committee to deal with both grievance and disciplinary appeals and in this regard it was agreed:-

- (a) that the Committee would comprise of six members of the Joint Board, with each of the three constituent authorities nominating two representatives;
- (b) that the following members be appointed to the Appeals Committee:-  
  
Councillors George McMillan and Fraser Gillies (Argyll and Bute Council)  
Councillors Keith Moody and Tom Smith (East Dunbartonshire Council)  
Councillors Mary Campbell and Ronald McColl (West Dunbartonshire Council);
- (c) that a Chairman be appointed from those members present at each meeting of the Committee;
- (d) that the quorum for meetings would be any three members;
- (e) that substitute members would not be necessary at present, although this matter could be reviewed in the future if difficulties were being experienced;
- (f) that presentation of cases to the Committee on behalf of management, whether in relation to disciplinary or grievance appeals, be undertaken by officers of the Legal and/or Personnel sections of West Dunbartonshire Council as required; and
- (g) that impartial professional advice be available to the Committee.

It was also agreed that any relevant papers which are made available to members in the course of hearings should be retrieved by officers at the conclusion of proceedings for shredding; and that the press and public should be excluded from the proceedings of the Committee.

**Note:** Provost Cairney entered the meeting at this point.

With regard to the outstanding grievance concerning the payment of Excess Travel Expenses it was agreed that further consideration of action to be taken be delayed until the next ordinary meeting of the Joint Board, scheduled for 21 September, by which time the outcome of the similar grievance submitted to West Dunbartonshire Council hopefully will be known.

With respect to the outstanding appeal against dismissal it was agreed that appropriate arrangements would now be made to convene a meeting of the Appeals Committee.