

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 17 FEBRUARY 2017.

Present – Councillors John McGinty (Chair) Harry Cartmill, Anne McMillan, John Muir, Cathy Muldoon, Jim Walker

Apologies – Councillor Tom Conn

1. DECLARATIONS OF INTEREST

Councillor John McGinty declared a non-financial interest in that he was a member of Unite union.

Councillor Anne McMillan declared a non-financial interest in that she was a member of Unite union.

Councillor Harry Cartmill declared a non-financial interest in that he was a member of Unite union.

2. MINUTE

The committee confirmed the Minute of its held on 20 January 2017 as a correct record.

3. PRIVATE SESSION

The committee resolved in terms of paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 that the remaining items of business be taken in private.

4. CONSIDERATION OF STAGE 3 GRIEVANCE

Introductions were made by all parties and the Clerk explained the procedure that would be followed.

The committee was invited to consider a Stage 3 Grievance brought forward by an employee within Social Policy.

The appellant was present and accompanied by her union representative, Derek Ormiston. The appellant did not call any witnesses.

The management was represented by Jane Kellock, Head of Social Policy and Gillian Cairney, Senior HR Advisor. The management called Alan Bell, Senior Manager and Charles Swan, Group Manager as witnesses.

The committee heard the applicant and her representative speak in relation to her grievance.

The Management was given an opportunity to question the appellant and

her representative.

The committee had an opportunity to question the appellant and her representative.

The committee heard the management and witnesses speak in relation to the grievance.

The appellants were given an opportunity to question the management and witnesses in turn.

The committee had an opportunity to question the management and witnesses in turn.

Finally, each side summed up the merits of their case.

All parties then left the room to allow the committee to consider its decision in private

All parties then returned to hear the decision of the committee of the committee.

### Decision

The committee found that the grounds of the grievance were not substantiated and therefore the appeal was not upheld.

The committee recommended that:

1. The management conclude the review of Mental Health Care Work and Senior Social Care workers needs at Care Home concerned.
2. That management ensure that no other operational anomaly exists at the Care Home concerned.