SUMMARY OF CONCLUSIONS

1. Elected members in Calderdale have been unable to achieve political accountability for social services (para 2.4)

2. The recruitment methods used and procedures followed by the council in the appointment of Dr Ryall to his first post were satisfactory (para 3.5)

3. In relation to the 1982 incident the police should have supplied the council with a report of their investigations (paras 5.3 and 13.7)

4. Key elected members should have been consulted before the 1982 disciplinary hearing against Dr Ryall. We recommend that officers handling disciplinary proceedings where the outcome may affect the reputation of an important service should take political soundings before reaching a conclusion (para 5.4)

5. The disciplinary hearing itself was satisfactory (para 5.7)

6. The subordinate officers who reported the 1982 incident to senior management should have been told of the outcome (para 5.7)

7. Following the 1982 incident, some supervision of Dr Ryall's relationships with young people should have been provided (paras 6.1 and 6.2)

8. The recruitment methods used and procedures followed in the appointment of Dr Ryall to the post of Acting Director of Social Services were satisfactory in the circumstances (para 6.3)

9. The appointing committee should have been formally made aware of the 1982 disciplinary hearing against Dr Ryall (para 7.6)

10. The disciplinary procedure agreement in Calderdale should be amended so as to make it clear that spent warnings are disregarded only for the purpose of future disciplinary proceedings (para 7.6)

11. ACAS and the Secretary of State for Employment should consider incorporating the advice given in the 1986 handbook into the statutory code of practice on Disciplinary Practice and Procedures in Employment (para 7.7)

12. LACSAB should consider giving further advice to local authorities on the relevance of spent warnings to an appointment (para 7.7)

13. The recruitment methods used in the appointment of the Director of Social Services were consistent with

traditional local government practice, but could be improved. We recommend for the appointment of Directors of Social Services, and perhaps for all Chief Officers:

a) The Committee have the benefit of an assessment provided by an outside professional in the appropriate field;

b) Traditional interviews be complemented by the use of more detailed assessment methods, including perhaps literacy, numeracy and psychometric testing;

c) Whatever procedure for making appointments is adopted, it should be documented and published, so that both candidates and members of appointing committees are made aware of what will be expected of them;

d) Written references should always be taken up, and this should be applied to home candidates as well as outsiders (para 7.9)

14. We believe there is clear evidence that the involvement of Dr Ryall with John and Jane B during their period in care before August 1988 was both unprofessional and damaging to the core plans of the department. We believe no sexual offences occurred with these children during that period (para 10.27)

15. In our view the social workers and their immediate supervisors acted properly in drawing the matter to the attention of Dr Ryall, and then maintaining a discreet watch afterwards (para 10.28)

16. Social workers who suspected the nature of Dr Ryall's relationship acted correctly in notifying their superviser, Mr Green, of their concern. He might well have shared all his information and anxieties with his immediate superior, the Assistant Director Mr Guer, but this would have been unlikely to alter events in the case. In the absence of evidence, Mr Green's decision to maintain a discreet watch over Dr Ryall's relationship was an appropriate response (para 10.31).

17. Members and staff of Calderdale Council had little knowledge of Dr Ryall's relationship with Thomas D, and could not be expected to deduce that this was an improper relationship (para 11.4)

18. Allegations by Jane B of offences against her by Dr Ryall have been adequately investigated by the police, and dealt with appropriately by the Social Services Department (para 12.2)

19. Mr Pearson deserves credit for bringing the police investigation of 1988 (para 13.15)

20. The police investigation of 1988 was carried out discreetly, speedily and successfully (para 13.16)

21. Mr Green must be given credit for setting the police off in the right direction in 1988 (para 13.13)

22. The council and its officers co-operated fully with the police investigations and enjoy a good working relationship with the police (para 13.16)

23. We found no evidence that offences were being committed against any other boys (para 13.19)

24. The circumstances surrounding the case of Donald H disclose no improper conduct on the part of Dr Ryall (para 14.3)

25. The circumstances surrounding Mrs Riding's dismissal disclose no improper conduct on the part of Dr Ryall or any other employee of the council (para 14.5)

APPENDICES

1. Advert and Terms of Reference for Inquiry

2. List of Witnesses and written evidence

3. Disciplinary Procedures of Calderdale Borough Council

4. Application Form of Dr Ryall for post of DoSS

5. The A.C.A.S. code of practice June 1977

6. Mr Green's memo to Dr Ryall - 17 November 1986

7. Dr Ryall's memo in reply - 20 November 1986

8. The Case of Mrs Riding

9. Donald H

10. Structure of Calderdale Social Services Department - 1988

CALDERDALE SOCIAL SERVICES INQUIRY

Following the resignation last year of Dr R. A. Ryall as Calderdale's Director of Social Services and his subsequent conviction at Leeds Crown Court of offences against young boys, Calderdale Council announced the setting up of an independent Inquiry Team. That Team comprises Brian Roycroft, the Director of Social Services for the City of Newcastle and immediate past President of the Association of Directors of Social Services (chairman), Mrs Jacqueline Davies, Barrister, and Mr Bill Miles.

The inquiry team have been given the following terms of reference:-

To investigate and report to the Council (through its Social Services Committee) on:

1. The recruitment methods used and procedures followed in appointment of Dr R. A. Ryall to his first post with Calderdale in April 1974.
2. The recruitment methods used and procedures followed in the appointment of Dr R. A. Ryall to the post of Acting Director of Social Services in December 1984 having regard in particular to disciplinary action taken against him in November 1982.
3. The recruitment methods used and procedures followed in the appointment of Dr R. A. Ryall to the post of Director of Social Services in March 1985 having regard in particular to disciplinary action taken against him in November 1982.
4. The circumstances surrounding the resignation of Dr R. A. Ryall on August 8, 1988, and the extent to which these circumstances and the events which gave rise to his resignation demonstrate.
   (a) any abuse of Dr Ryall's position during his employment by the Council.
   (b) any inadequacy in the management or practice of the Social Services Department, whether in relation to an individual case or generally.
5. Whether the events which gave rise to the employment, promotion or resignation of Dr R. A. Ryall raise any questions regarding the management, procedures and practice of any other Department of the Council and its staff.

and to make recommendations for consideration by the Council (through its Social Services Committee) of any means by which organisation, management procedures and practice could be improved or made more effective having regard to the circumstances of Dr R. A. Ryall's resignation.

The Inquiry Team will hear evidence in private but make a public report to Calderdale Council through its Social Services Committee. They aim to deliver this report by the end of March 1989.

The Inquiry Team would now like to issue an open invitation to any person having information on matters within their terms of reference which might assist the Inquiry to provide that information to the Team. Sittings of the Inquiry Team will be commencing shortly and any person who wishes to give any evidence to them is invited to contact Mr Brian Horner the Secretary to the Inquiry Team, by telephone Halifax 57257 extension 3011.

Any person who wishes, when they meet the Inquiry Team, to bring a friend or colleague with them for support (or indeed a legal or trade union representative) will be most welcome to do so.

The Inquiry Team will sit alone except for their Clerk, who is also a qualified lawyer independent of Calderdale Borough Council. They will hear evidence from one witness only at a time. At the end of each interview they will make available to each witness a note of the evidence that has been given for checking.

Anyone who has any doubt as to whether it is appropriate for them to give evidence to the Inquiry Team or not is invited to contact Brian Horner for an informal discussion in confidence.

Appendix 2

LIST OF WITNESSES AND THOSE WHO GAVE WRITTEN EVIDENCE OR INFORMATION

Mrs P Ackerman
Mr W R Anderson
Mr D Anderson
Mr G Backhouse
Mr P A Binns
Mrs E Brett
Mr M Bridge
Mrs C
Dr P Chapman
Mr A Clegg
Mr P M Crossley
Mr M Cunningham
Mr G Denham
Mrs M Denton
Mrs E Dolan
Mr M Ellison
Councillor R F E Elmore
Mr R B Fairclough
Mr J Ford
Councillor D J Fox
Mr J J Gibbons
Mrs F Green
Mr S A Green
Mrs M Greenwood
Mr D Gurr
Councillor G T Hall
Halifax Courier
Mr C Huckman
Mr A Irving
Mr S Jackson
Mr A H Jones
Miss S Lamb
Councillor T Lawler
Mrs A Mahon MP
Councillor R Marsden
Councillor A D J Mazey
Mr K Michiniewski
Mr J Mitchell
Supt. Mould
Mrs E Moxon
Councillor W Mullen
Mr D J Norrie
Ms F O'Hanlon
Mr A Pearson
Mr J M Poole
Mr D K Ramsden
Mrs A Riding
Councillor Miss M Riley
Councillor J Rodgers
Mr T Rothwell
Dr R A Ryall
Detective Supt Saunders
Scout Association
Councillor W Sharp
Mr P A Shire
Mr P G Squibb
Miss J Stout
Mr D Taylor
Mr D Thompson MP
Mr D Thorp
Councillor T Tolan
Mr M Walker
Mr R Warmsley
Mr G Watkins
Mr G W Whitley
Councillor Mrs B Wildsmith
Councillor G J Williams
Mrs M Wong
Councillor Mrs D Wood
Mrs B Woodward
Mr C Yates

APPENDIX 3

METROPOLITAN BOROUGH OF CALDERDALE

LOCAL DISCIPLINARY PROCEDURE FOR

NON-MANUAL WORKERS (EXCLUDING TEACHERS AND LECTURERS)

1. **APPLICATION**

The following disciplinary procedure is to be part of the conditions of service, and is intended to be applicable to all officer employees of the Authority.

2. **GENERAL**

2.1 It should be recognised by all parties, that discipline is essential for the conduct of the Authority's affairs, and for the safety and wellbeing of all employees. It should be equally the intent of the parties that disciplinary action be considered fair, and equitably applied.

2.2 It is the right, and duty, of the Chief Officer of the Department, and of officers authorised by him, to control the staff of his/her department, (subject to the disciplinary procedures that follow) and to deal with minor cases of indiscipline without resorting to formal procedures. The disciplinary procedures that follow are not intended to interfere with or supersede that right or duty and are reserved for indiscipline which in the opinion of the Chief Officer cannot be dealt with informally.

2.3 These disciplinary procedures do not prejudice any employee's right to appeal subsequently to National Conciliation bodies.

2.4 In the interest of good industrial relations any formal disciplinary action by way of written warnings given to an employee will be communicated to his/her Trade Union Representative (if any), unless at the conclusion of the disciplinary hearing the employee does not wish the Trade Union to be informed.

2.5 Normally no disciplinary action shall be taken against a shop steward, staff representative or safety representative until the circumstances of the case have been discussed with a full-time official of the Union concerned, and the Personnel Officer.

3. **DISCIPLINARY ACTION - WARNINGS**

3.1 Where an employee's work, conduct, or omission are such as to warrant disciplinary action, the appropriate Supervisor, or Officer, shall give, once he/she has established the facts, a written warning to the employee.

3.2 The written warning will confirm the nature of the complaint and any implication arising therefrom.

3.3 The further commission of a similar act, or of a subsequent but different offence, may result in a further written warning, which may be a final warning according to the circumstances. The employee's attention must be drawn to the issue of a final warning, and to the fact that a copy thereof will be sent to his/her trade union official (if any), unless at the conclusion of the disciplinary hearing the employee does not wish the Trade Union to

be informed. Any final warning must be confirmed in writing as soon as possible, under the signature of the Chief Officer or, in his absence, a nominated 2nd tier officer.

3.4 The employee must be informed of his/her right of appeal in any written warning.

3.5 At any stage in the warning procedure, the employee:-

3.5.1 will be fully informed of the complaint against him/her and be given every opportunity to state his/her case before any decision is reached.

3.5.2 will be given the right to be accompanied by his/her Trade Union Representative, or by a representative of his/her choice and if he/she so chooses.

3.6 The employee's Trade Union Representative or other representative will be informed of any formal disciplinary action taken against the employee.

3.7 Records shall be kept by the employee's Department, detailing the nature of any breach of disciplinary rules, the action taken, and the reasons for it. These records must be confidential, but can also be seen by the Trade Union Representative or other representative subject to the consent of the employee concerned, if all, or any part of the records are going to be used in a disciplinary meeting.

4. SUSPENSION/DISMISSAL

4.1 Gross misconduct may warrant dismissal without notice. In such cases the Personnel Officer must be consulted immediately.

4.2 A Chief Officer (or in his absence a nominated 2nd tier officer as authorised from time to time by the Authority), may dismiss an employee in cases where previous warnings have been ineffective, or for gross misconduct. Where the possibility of serious disciplinary action arises (including dismissal) the employee shall be interviewed by the officer concerned and told why his/her services are considered unsatisfactory. At that stage the employee shall have the right to a short adjournment to consider the charges made. The employee shall be given adequate opportunity to explain or defend himself. In particular he/she will have the right to be accompanied and represented during the interview by his/her Trade Union or other representative. This interview shall be arranged after consultation with the Personnel Officer.

4.3 Dismissal, or other serious disciplinary action shall be confirmed by letter under the signature of the Chief Officer. This letter shall state the grounds for the action taken and confirm that the employee may appeal in the appropriate way to a committee where he/she may appear in person and with a representative of his/her choice, if he/she so chooses.

4.4 The Contract of Employment may be suspended either to enable investigations to be made where the possibility of dismissal may arise or where there are grounds for doubt as to the suitability of the employee to continue at work pending criminal investigations

or procedure or as an alternative to dismissal. The procedure recommended in the event of dismissal shall also apply to an employee thus suspended. During a period of suspension the employee shall be paid an allowance as follows:-

(a) Where investigations are being carried out by external agencies, 6 weeks at half basic pay and the remainder at full pay.

(b) Where investigations are of an internal nature, 10 days at half basic pay and the remainder at full pay.

Except where suspension has been used as an alternative to dismissal:-

4.4.1 in the event of it being adjudged that the employee was not blameworthy, the suspension shall be terminated and the employee shall receive all moneys to which he/she would have been entitled but for the suspension;

4.4.2 if the employee is adjudged blameworthy but is allowed to continue in employment, the Council shall have discretion whether to make up the suspension allowance to equal the whole or part of the wage/salary withheld during the period of suspension;

where suspension has been used as an alternative to dismissal the Council shall in its discretion suspend at any percentage of wage/salary from NIL to ⅔ pay. In deciding the period of suspension to be imposed, account shall be taken of the period of suspension, if any, which has already elapsed. Prior to the taking of such action there shall be consultation with the Personnel Officer in order to establish uniformity of action throughout the Council's organisation.

4.4.3 If the employee is dismissed, he/she shall not be entitled to wage/salary other than the sum (if any) due up to the date of suspension but he/she shall be allowed to retain any sum already paid to him/her as suspension allowance during the period of suspension.

4.4.4 In the event of an appeal against dismissal made either by the employee personally or through his/her Trade Union, then where the appeal is upheld by the Disciplinary Sub Committee the employee shall be paid normal wage/salary from the time of his/her dismissal until the time of his/her reinstatement in accordance with the decision of the Disciplinary Sub Committee or alternatively, where the employee has since his/her dismissal taken employment with other than the Calderdale Metropolitan Borough Council, he/she shall be paid normal wage/salary from the time of his/her dismissal up to and including the day of the meeting of the Disciplinary Sub Committee.

4.4.5 Except in the case of summary dismissal, notice to terminate employment shall not, in the event of an appeal against such notice, be effective until such time as the Disciplinary Sub Committee has heard the appeal and shall then be implemented only if the Sub Committee reject the appeal.

5. RIGHT OF APPEAL

If at any time in this procedure the employee either individually or through his/her Trade Union official or other representative wishes to exercise such right of appeal against any form of disciplinary action taken against him/her it must be done within 10 working days of receipt of the written warning or notification of termination of employment on disciplinary grounds, or written advice of other disciplinary action.

6. REVIEW OF DISCIPLINARY RECORD

Should any disciplinary action be reconsidered and effectively withdrawn, any written reference shall be expunged from the employee's file and the employee notified in writing accordingly.

6.1 Where official warnings have been given, these shall be dealt with as follows:-

a 1st written warning shall remain on the employee's personal record for 6 months from the date of such warning;

a 2nd written warning shall remain on the employee's personal record for 9 months from the date of such warning;

a final written warning shall remain on the employee's personal record for 15 months from the date of such warning.

6.2 After the expiration of these periods the warnings shall be physically expunged from the employee's personal record.

7. THIS PROCEDURE DOES NOT APPLY TO NOTICE GIVEN

7.1 (1) On termination of employment for which an employee has been specifically engaged (Short term contract).

(2) In the event of redundancy.

(3) Where less than three months probationary service has been completed, and dismissal arises from unsuitability for confirmation of appointment.

(4) Notwithstanding this paragraph it is mutually agreed that representations in exceptional circumstances may be made to the Personnel Officer by an individual, supported if desired by a Trade Union Official. The Personnel Officer shall have the authority to make a final determination in each case under consideration.

Approved by Staff Joint Consultative Committee 10th October 1980

Approved by Personnel Sub Committee 27th October 1980.

Approved by Policy and Resources Committee 4th November 1980

Approved by Council 19th November 1980

METROPOLITAN BOROUGH OF CALDERDALE

APPENDIX 4

Date rec'd
Date ack'd 25.1.81 25
Date of interview
Decision

APPLICATION FOR THE APPOINTMENT OF DIRECTOR OF SOCIAL SERVICES

Post No. ..... Department SOCIAL SERVICES DEPARTMENT

1. PERSONAL DETAILS

Surname (Block Letters)	Initials	Date of Birth	Age
RYALL	R.A.	8.3.42	42

Address (Block Letters)	Telephone Numbers Home	Business
MOONRAKERS, SCAR BOTTOM LANE, GREETLAND, HALIFAX, WEST YORKSHIRE.	Elland 71388	HX. 63561 Ext.

Have you a current Driving Licence YES / XXX

EDUCATION / TRAINING / QUALIFICATIONS

Secondary School / College / University	Dates From	To	Qualifications Gained (state level)	Grades	Date
MERCHANT TAYLORS SCHOOL, NORTHWOOD.	1954	1961	8 G.C.E. 'O' Level Subjects		1957
			3 G.C.E. 'A' Levels (two with distinction)		1960
CORPUS CHRISTI COLLEGE, OXFORD.	1961	1964	B.A. 2nd Class Hons. Natural Science - later took M.A. Degree.		1964
PEMBROKE COLLEGE, CAMBRIDGE. (Studying at the Cambridge University Institute of Criminology).	1967	1971	Post graduate diploma in Criminology.		1968
			Doctorate for research into treatment of delinquent adolescents.		1971

Relevant non-qualification courses attended

Organising Body	Course Details	Dates From	To
Institute of Local Government Studies, Birmingham University.	Advanced Management Development Programme.	1980	

Membership of profesional bodies (not listed above)

Body	Membership Status	Since

ALDERDALE METROPOLITAN BOROUGH COUNCIL

Present Grade / Salary C. O. £20,607
(Formerly P. O. 2 6 - 10 £15,357).

Other Benefits and / or Emoluments
Essential user car allowance

Title ACTING DIRECTOR OF SOCIAL SERVICES
ormerly Assistant Director, Service
velopment and Residential and Day Care
rvices).

Responsible to
Chief Executive and Social Services Committee.

e of Appointment 11th December, 1984
ormer post 1st April, 1974).
ice Required

Reason for seeking other employment

f description of duties

rrently:- Responsible for the overall management of the Social Services Department and for contributing to the corporate management of the authority via the Management Team.

rmerly:- Responsible for the formulation of policy proposals and for project development in all areas of the Department's work. Responsible for the day to day operation of all aspects of the residential and day care services.

PREVIOUS EMPLOYMENT (starting with the most recent)

Employer	Job Title	Grade / Salary per annum	Dates From	Dates To	Reasons for leaving
SSEX CHILDRENS' GIONAL PLANNING MMITTEE	Professional Advisor	P.O. 1 3 to 7	Sept 1972	March 1974	To widen scope of work to all Social Service activities.
MANAGERS, NAL REGIONAL ERVATION AND ESSMENT CENTRE, MINGHAM.	Deputy Head	£2,950	Oct 1971	Sept 1972	To participate in strategic planning of facilities for children in care.
MANAGERS, LIFFE SCHOOL, LINGTON	Teacher - Housemaster	£1,900	Oct 1964	June 1968	To study and research causes and treatment of delinquency.

The Future

I believe the future success of the Department is dependent to a substantial extent on the Chief Officer having a progressive vision of the management task. The person appointed will need to keep clearly in mind these aims and objectives:-

1. Maintain and develop a participatory style of management in the Department through which staff feel they can have a contribution to make in determining the future of the Department.

2. Represent coherently and persuasively the need for the Department to have an enhanced share of the resources in Calderdale. In this respect the Director has the key role of 'advocate' on behalf of the client. A long term development programme akin to that already developed for the elderly needs to be formulated.

3. Review the role and functioning of the fieldwork service and the implications of moving towards a neighbourhood - based service - preferably through a joint working party of members and staff at various levels in the Department.

4. Develop clear objectives for the provision of services, and evaluate existing service delivery in terms of these objectives to ensure that resources are being used in the most effective way.

5. Improve communications with members, with the aim of assisting members make policy decisions whilst recognising the limitations of a situation in which no party has overall control.

6. Ensure that the management of the Department maintains a clear direction in its activities by setting out, and achieving, managerial objectives.

7. Playing a full part in the corporate management of local authority.

Assistant Director (Service Development and Residential and Day Care Services)

In this post I have been a member of the Departmental Management team and have been responsible to the Director for a wide and varied range of operational and developmental activities.

The main features of my role have been:-

Planning and development

I have had major responsibility for the formulation of policy proposals in all areas of the Department's work, the preparation of the Department's policy statement, material for the annual policy seminar, and the detailed development of proposals for the capital and revenue programmes. As well as the annual "mainstream" programme, I have overseen the preparation of schemes for submission, for example, for urban aid and for the M.S.C.

Examples of projects in the past which I have been responsible for overseeing include the development and implementation of a carefully researched plan to radically reduce the number of children in CH(E)s through the coordinated development of a range of community resources, the implementation of schemes of "very sheltered" housing, the design, staffing, and opening of a special care unit for severely mentally handicapped adults, the provision in collaboration with the NSPCC of a special unit attached to one of our day nurseries, and the introduction of a 'fostering the elderly' scheme.

In the course of the policy planning and implementation aspects of my work I have established the closest working relationship with other local authority departments at the highest levels, and have also worked closely with voluntary organisations.

Liason with the Health Authority

I have central involvement in Joint Care Planning with the Health Authority as a member of the Joint Care Planning Team, and have responsibility for developing proposals for Joint Financing. I am chairman of the sub-group on mental handicap and in that role have the key task of preparing proposals for the local implementation of the 'Care in the Community' initiative.

Residential and Day Care Services

I have had full operational responsibility to the Director for all aspects of the residential and day care services for all client groups. The scope of this work has involved the promotion of professional standards in 36 homes and day care establishments, the implementation of innovatory ideas, the motivation and support of staff, financial control, and the more problematic aspects of personnel management covering, for example, disciplining staff and negotiations with the unions.

In this operational role I was responsible, with considerable success, for managing and maintaining without any significant disruption the residential services during the recent national industrial dispute of 1983. Another difficult task has been managing the closure of a large CH(E) (Dobroyd Castle), but I would comment that I find more satisfaction in the opening of new facilities rather than in managing closures!

New Technology

For 18 months I was chairman of the local authority's micro user group. I am familiar with the use of micro-computers, and have myself developed systems and written programmes. During my period of research at Cambridge I wrote programmes for the mainframe computer but would concede there have been substantial developments in technology since then!

Training

The oversight of all training activity in the Department is my responsibility. Amongst my specific involvement in this area of work has been the establishment of a student unit in the Department in collaboration with Huddersfield Polytechnic for C.Q.S.W. student, and the implementation of C.S.S. training in the Department.

Professional activities external to the Department

For four years up to 1984 I was chairman of the Officers' Panel of the Yorkshire and Humberside Children's Regional Planning Committee. I am also a member of the West Yorkshire Committee of the Royal Jubilee and Princes' Trusts in which capacity I assess and make recommendations in respect of applications for grant aid by or on behalf of young people.

continued.....

In 1977 I was appointed by the then Minister of State at the D.H.S.S. to be a member of the team set up to evaluate the work of St. Charles' Youth Treatment Centre following adverse publicity. I believe that the report the team produced had a considerable influence on Government policy and practice in this field.

Management training

In 1980 I was chosen by Calderdale to atend the INLOGOV Advanced Development Programme in Birmingham. Arguably, this is the most intensive and highest level training available to senior officers in local government. I found the programme valuable for developing my knowledge base and enhancing those managerial skills relevant to the most senior posts in local authorities.

Previous Posts

Professional Adviser Wessex C.R.P.C.

In this post I had a major responsibility for the strategic planning of facilities for 'children in trouble' in the Region. In particular, I prepared the Region's IT Scheme, and an interim revision of the Regional Plan. The work involved close cooperation with both statutory and voluntary agencies and was considerably wider in scope than the tasks imposed by the 1969 act. I spent a considerable amount of time in a consultative capacity with individual local authorities, in arranging conferences, and undertaking speaking engagements.

Director of Part Time Course for Heads of O and A Centres

Concurrent with the position of professional adviser, I planned and directed the first course of substance to be set up for practitioners in this area of work. My involvement in the course lasted a year. Apart from the very interesting experience of devising from scratch a quite high level course, this year, through discussion with the course participants, gave me some insight into the management problems of smaller local authority centres.

Deputy Headmaster Tennal Regional Assessment Centre

I was the first holder of this post and in it I was able to play a leading part in establishing the internal assessment processes at this new 80 bed centre, and in developing the relationships with local authorities and treatment facilities. My duties included staff management and administration, chairing assessment conferences, and running the centre in the absence of the head.

Research at the Cambridge University Institute of Criminology

From 1968 to 1971 I undertook a major research investigation under the general title of 'Boys in Approved School - a study of the impact of residential treatment on delinquent adolescents'. This project included a detailed study of the background of approved school boys, a study of attitudes and attitude change, and an examination of social relationships, per group norms and staff-boy interaction.

continued.....

This research involved extensive reading in the literature relating to the dynamics of residential establishments and the acquisition of a substantial body of knowledge relating to evaluation and research in institutions, and general methodological techniques in the social sciences.

Teacher-housemaster Aycliffe School

At Aycliffe I was in charge of a house unit in the training school for thirty boys. Duties involved the overall administration and control of the house, organising leisure activities, and establishing theraputic relationships with as many of the boys as possible. My interest in social work is grounded in this grass roots experience.

Conclusion

For some years now my management responsibilities have encompassed both the operational control of a major aspect of the Department's work, and also the development and planning of services in a corporate setting. I have also had the benefit of managerial training at a high level and my background combines proven academic achievement with practitioner experience in one of the most difficult areas of social work.

I have worked for Calderdale now for nearly 11 years. The reason I have not moved on is that I am committed to the area, and have not been possessed by any burning personal ambition to enhance my status.

This does not mean, however, that I do not have confidence in my own ability. On the contrary, I believe I have the right personal qualities, managerial expertise, background experiences, and detailed knowledge of Calderdale to make me particularly well equipped to lead the Social Services Department into the future.

I have been fortunate in these few months to have been able to test out this belief about myself, and I believe it to be valid. It has not been an altogether easy period, but I have come to enjoy the heat and will be a little sorry to leave the kitchen!

BRIEF DETAILS OF RELEVANT EXPERIENCE AND ANY OTHER INFORMATION ...
(Additional sheets may be attached where necessary)

Acting Director of Social Services

On the 23rd November, 1984 I took over the management of the Department following the retirement of the Director and Deputy Director. I was formally appointed Acting Director by the Committee on 11th December.

The situation I then found myself in was not altogether straightforward. I have recognised that my position is only temporary and I have had to be careful not to preempt any major management decisions which a future Director might wish to take.

However, there was an immediate and most urgent need for a very positive approach to be taken regarding the management of the Department. Among many staff there were feelings of shock and uncertainty about the future, and in some parts of the Department morale was at a low ebb. It was also a time of peak activity in relation to the preparation of proposals for the 1985/86 budget.

I accordingly determined that there were four immediate priorities:-

a) to ensure that there was immediate continuity in the management of the Department. Even though the two most senior posts had been suddenly vacated it was vital that Committees continued to be service and that normal management activities carried on. This limited objective was not altogether easy to fulfill, as there was no opportunity for an orderly passing over of work from the outgoing members of staff.

b) to open up communications in the Department, particularly by meeting with groups of staff at all levels, to help all staff feel that they play a significant and valued role in the Department, and to give them confidence that management is sensitive to their problems and feelings.

c) to give the Department a sense of direction at a point in time when it could have drifted aimlessly, by setting out clear managerial objectives, and involving staff in developing and refining them. The aim being to create a useful starting point for an incoming Director.

d) to ensure that the needs of the Department were fully represented in debates about the future allocation of resources in Calderdale.

These aims have to be seen in the context that during this period two out of the three second or third tier posts in the Department have been vacant. There has been no let up in the usual bombardment of minor crises and problems which are the bread and butter of managing a large Department, and in addition to these demands I have also felt it important to make time to attend the local authority's management team.

However, even though the pressures on my time have been considerable (and I should say I am indebted to the support of close colleagues in the Department), I believe that I will have very substantially achieved these objectives during my time at the helm, and that when the post of Acting Director disappears the Department will be in substantially better heart than when the post was created.

continued.....

am a competitive orienteer, distance runner and fell runner. In addition to ompeting regularly (when free from injury) I am heavily involved in surveying and rawing maps for orienteering and am invclved in the administration of sport at ocal and national level. I enjoy music (passively) and entertaining.

FEREES (One of whom should be your present / last employer)

Name: Mr. D. Taylor

Position held by referee:
formerly Director of Social Services
Organisation:
(if appropriate)

Address: 4, Parkside,
Halifax.

Telephone: HX. 61822

b. Name: Mr. G. A. Irving

Position held by referee:
Chief Financial Officer
Organisation: Calderdale M.B.C.
(if appropriate)

Address Princess Buildings,
Halifax.

Telephone: HX 57257

e contact your present employer prior to the interview? YES / ~~NO~~
give details of any dates when you will not be available for interview during the next month.

re you currently being considered for, or have recently applied for, any other post with this Authority?
ES / NO. If YES, please give brief details.

Have you worked for the Council before? YES / NO. If YES, please give brief details.

Has any court found you guilty of an offence? ~~YES~~ / NO
f YES please give details. (this will not necessarily debar you from employment).

Statement as to general health, including particulars of any lenghty illness(es):-

Very good - brief period off work in 1981 for sinus operation.

Are you related to a Councillor or Senior Officer of the Council? (If so please give details) (A candidate who fails to disclose a relationship will be disqualified and, if appointed, will be liable to dismissal).

No.

Please state where you learned of this vacancy

Inside knowledge.

vassing will disqualify. I declare that the particulars which I have given in this application are true to the best of my knowledge and ef.

ature .....

Date 24th January 1985

Please return to:

By:

Any telephone enquiries about this application should be made to extension .....

B. CODES OF PRACTICE UNDER THE EMPLOYMENT PROTECTION ACT 1975

1. DISCIPLINARY PRACTICE AND PROCEDURES IN EMPLOYMENT

Note: This Code supersedes paras 130 to 133 inclusive of the Industrial Relations Code of Practice in effect by virtue of the EPA Sch 17 para 4. It was brought into force on 20 June 1977 by the Employment Protection Code of Practice (Disciplinary Practice and Procedures) Order 1977, SI 1977/867. [132]

Introduction

1. This document gives practical guidance on how to draw up disciplinary rules and procedures and how to operate them effectively. Its aim is to help employers and trade unions as well as individual employees—both men and women—wherever they are employed regardless of the size of the organisation in which they work. In the smaller establishments it may not be practicable to adopt all the detailed provisions, but most of the features listed in para 10 could be adopted and incorporated into a simple procedure. [133]

Why have disciplinary rules and procedures?

2. Disciplinary rules and procedures are necessary for promoting fairness and order in the treatment of individuals and in the conduct of industrial relalations. They also assist an organisation to operate effectively. Rules set standards of conduct at work; procedure helps to ensure that the standards are adhered to and also provides a fair method of dealing with alleged failures to observe them. [134]

3. It is important that employees know what standards of conduct are expected of them and the Contracts of Employment Act 1972 (as amended by the Employment Protection Act 1975) requires employers to provide written information for their employees about certain aspects of their disciplinary rules and procedures.[1] [135]

[1] [The EP(C)A s 1] requires employers to provide employees with a written statement of the main terms and conditions of their employment. Such statements must also specify disciplinary rules applicable to them and indicate the person to whom they should apply if they are dissatisfied with any disciplinary decision. The statement should explain any further steps which exist in any procedure for dealing with disciplinary decisions or grievances. The employer may satisfy these requirements by referring the employees to a reasonably accessible document which provides the necessary information.

4. The importance of disciplinary rules and procedures has also been recognised by the law relating to dismissals, since the grounds for dismissal

and the way in which the dismissal has been handled can be challenged before an industrial tribunal.[1] Where either of these is found by a tribunal to have been unfair the employer may be ordered to reinstate or re-engage the employees concerned and may be liable to pay compensation to them. [136]

[1] [The EP(C)A s 67(2)] specifies that a complaint of unfair dismissal has to be presented to an industrial tribunal before the end of the three month period beginning with the effective date of termination.

Formulating policy

5. Management is responsible for maintaining discipline within the organisation and for ensuring that there are adequate disciplinary rules and procedures. The initiative for establishing these will normally lie with management. However, if they are to be fully effective the rules and procedures need to be accepted as reasonable both by those who are to be covered by them and by those who operate them. Management should therefore aim to secure the involvement of employees and all levels of management when formulating new or revising existing rules and procedures. In the light of particular circumstances in different companies and industries trade union officials[1] may or may not wish to participate in the formulation of the rules but they should participate fully with management in agreeing the procedural arrangements which will apply to their members and in seeing that these arrangements are used consistently and fairly. [137]

[1] Throughout this Code, trade union official has the meaning assigned to it by s 30(1) of the Trade Union and Labour Relations Act 1974 and means, broadly, officers of the union, its branches and sections, and anyone else, including fellow employees, appointed or elected under the union's rules to represent members.

Rules

6. It is unlikely that any set of disciplinary rules can cover all circumstances that may arise: moreover the rules required will vary according to particular circumstances such as the type of work, working conditions and size of establishment. When drawing up rules the aim should be to specify clearly and concisely those necessary for the efficient and safe performance of work and for the maintenance of satisfactory relations within the workforce and between employees and management. Rules should not be so general as to be meaningless. [138]

7. Rules should be readily available and management should make every effort to ensure that employees know and understand them. This may be best achieved by giving every employee a copy of the rules and by explaining them orally. In the case of new employees this should form part of an induction programme. [139]

8. Employees should be made aware of the likely consequences of breaking rules and in particular they should be given a clear indication of the type of conduct which may warrant summary dismissal. [140]

Essential features of disciplinary procedures

9. Disciplinary procedures should not be viewed primarily as a means of

imposing sanctions. They should also be designed to emphasise and encourage improvements in individual conduct. [141]

10. Disciplinary procedures should:
   (*a*) Be in writing.
   (*b*) Specify to whom they apply.
   (*c*) Provide for matters to be dealt with quickly.
   (*d*) Indicate the disciplinary actions which may be taken.
   (*e*) Specify the levels of management which have the authority to take the various forms of disciplinary action, ensuring that immediate superiors do not normally have the power to dismiss without reference to senior management.
   (*f*) Provide for individuals to be informed of the complaints against them and to be given an opportunity to state their case before decisions are reached.
   (*g*) Give individuals the right to be accompanied by a trade union representative or by a fellow employee of their choice.
   (*h*) Ensure that, except for gross misconduct, no employees are dismissed for a first breach of discipline.
   (*i*) Ensure that disciplinary action is not taken until the case has been carefully investigated.
   (*j*) Ensure that individuals are given an explanation for any penalty imposed.
   (*k*) Provide a right of appeal and specify the procedure to be followed. [142]

The procedure in operation

11. When a disciplinary matter arises, the supervisor or manager should first establish the facts promptly before recollections fade, taking into account the statements of any available witnesses. In serious cases consideration should be given to a brief period of suspension while the case is investigated and this suspension should be with pay. Before a decision is made or penalty imposed the individual should be interviewed and given the opportunity to state his or her case and should be advised of any rights under the procedure, including the right to be accompanied. [143]

12. Often supervisors will give informal oral warnings for the purpose of improving conduct when employees commit minor infringements of the established standards of conduct. However, where the facts of a case appear to call for disciplinary action, other than summary dismissal, the following procedure should normally be observed:

   (a) In the case of minor offences the individual should be given a formal oral warning or if the issue is more serious, there should be a written warning setting out the nature of the offence and the likely consequences of further offences. In either case the individual should be advised that the warning constitutes the first formal stage of the procedure.
   (*b*) Further misconduct might warrant a final written warning which should contain a statement that any recurrence would lead to suspension or dismissal or some other penalty, as the case may be.
   (*c*) The final step might be disciplinary transfer, or disciplinary suspension without pay (but only if these are allowed for by an

express or implied condition of the contract of employment), or dismissal, according to the nature of the misconduct. Special consideration should be given before imposing disciplinary suspension without pay and it should not normally be for a prolonged period. **[144]**

13. Except in the event of an oral warning, details of any disciplinary action should be given in writing to the employee and if desired, to his or her representative. At the same time the employee should be told of any right of appeal, how to make it and to whom. **[145]**

14. When determining the disciplinary action to be taken the supervisor or manager should bear in mind the need to satisfy the test of reasonableness in all the circumstances. So far as possible, account should be taken of the employee's record and any other relevant factors. **[146]**

15. Special consideration should be given to the way in which disciplinary procedures are to operate in exceptional cases. For example:

(*a*) *Employees to whom the full procedure is not immediately available.* Special provisions may have to be made for the handling of disciplinary matters among nightshift workers, workers in isolated locations or depots or others who may pose particular problems for example because no one is present with the necessary authority to take disciplinary action or no trade union representative is immediately available.

(*b*) *Trade union officials.* Disciplinary action against a trade union official can lead to a serious dispute if it is seen as an attack on the union's functions. Although normal disciplinary standards should apply to their conduct as employees, no disciplinary action beyond an oral warning should be taken until the circumstances of the case have been discussed with a senior trade union representative or full-time official.

(*c*) *Criminal offences outside employment.* These should not be treated as automatic reasons for dismissal regardless of whether the offence has any relevance to the duties of the individual as an employee. The main considerations should be whether the offence is one that makes the individual unsuitable for his or her type of work or unacceptable to other employees. Employees should not be dismissed solely because a charge against them is pending or because they are absent through having been remanded in custody. **[147]**

Appeals

16. Grievance procedures are sometimes used for dealing with disciplinary appeals though it is normally more appropriate to keep the two kinds of procedure separate since the disciplinary issues are in general best resolved within the organisation and need to be dealt with more speedily than others. The external stages of a grievance procedure may however, be the appropriate machinery for dealing with appeals against disciplinary action where a final decision within the organisation is contested or where the matter becomes a collective issue between management and a trade union. **[148]**

17. Independent arbitration is sometimes an appropriate means of resolving

disciplinary issues. Where the parties concerned agree, it may constitute the final stage of procedure. **[149]**

Records

18. Records should be kept, detailing the nature of any breach of disciplinary rules, the action taken and the reasons for it, whether an appeal was lodged, its outcome and any subsequent developments. These records should be carefully safeguarded and kept confidential **[150]**

19. Except in agreed special circumstances breaches of disciplinary rules should be disregarded after a specified period of satisfactory conduct. **[151]**

Further action

20. Rules and procedures should be reviewed periodically in the light of any developments in employment legislation or industrial relations practice and, if necessary, revised in order to ensure their continuing relevance and effectiveness. Any amendments and additional rules imposing new obligations should be introduced only after reasonable notice has been given to all employees and, where appropriate, their representatives have been informed. **[152]**

relevant provisions to be taken into account in proceedings before the Central Arbitration Committee.[1] [156]

[1] Employment Protection Act 1975 ss 17(1)(*b*), 17(4) and 6(11).

Provisions of the Act

4. The Act places a general duty on an employer to disclose at all stages of collective bargaining information requested by representatives of independent trade unions. The unions must be either recognised by the employer for collective bargaining purposes, or fall within the scope of an ACAS recommendation for recognition. The representative of the union is an official or other person authorised by the union to carry on such collective bargaining. [157]

5. The information requested has to be in the employer's possession, or in the possession of any associated employer, and must relate to the employer's undertaking. The information to be disclosed is that without which a trade union representative would be impeded to a material extent in bargaining and which it would be in accordance with good industrial relations practice to disclose for the purpose of collective bargaining. In determining what is in accordance with good industrial relations practice, any relevant provisions of this Code are to be taken into account. [158]

6. No employer is required to disclose any information which: would be against the interests of national security; would contravene a prohibition imposed by or under an enactment; was given to an employer in confidence, or was obtained by the employer in consequence of the confidence reposed in him by another person; relates to an individual unless he has consented to its disclosure; would cause substantial injury to the undertaking (or national interest in respect of Crown employment) for reasons other than its effect on collective bargaining; or was obtained for the purpose of any legal proceedings. [159]

7. In providing information the employer is not required to produce original documents for inspection or copying. Nor is he required to compile or assemble information which would entail work or expenditure out of reasonable proportion to the value of the information in the conduct of collective bargaining. The union representative can request that the information be given in writing by the employer or be confirmed in writing. Similarly, an employer can ask the trade union representative to make the request for information in writing or confirm it in writing. [160]

8. If the trade union considers that an employer has failed to disclose to its representatives information which he was required to disclose by s 17 of the Act, it may make a complaint to the Central Arbitration Committee.[1] The Committee may ask the Advisory, Conciliation and Arbitration Service to conciliate. If conciliation does not lead to a settlement of the complaint the Service shall inform the Committee accordingly who shall proceed to hear and determine the complaint. If the complaint is upheld by the Committee it is required to specify the information that should have been disclosed and a period of time within which the employer ought to disclose the information. If the employer does not disclose the information within the specified time the union may present a further complaint to the Committee and may also

CHARGE OF CONFIDENTIAL

METROPOLITAN BOROUGH OF CALDERDALE

(SAG.

F

MEMORANDUM

APPENDIX 6

From Mr S A Green Area Social Services Officer Horrogate House Our Ref.: SAG/HLM Contact: Mr S A GREEN Ext. 229	To Dr R Ryall Director Of Social Services Wellesley Park Your Ref

Date 17 November 1986

Re: John B

I would like to bring to your attention certain problems which have arisen over the past few months as a consequence of your personal involvement with the above youngster.

I gather that on two occasions John has had unscheduled overnight stays at your home, the most recent being on the 8 - 9 November 1986. Such stays should normally only take place following consultation with the area social worker and in the context of an agreed treatment plan. However, in these instances the social worker was not aware of the overnight stays until several days after they had taken place. Presuamably, John's mother was agreeable to the visits.

John undoubtedly feels that he should receive special treatment because of his friendship with you. He boasts of this friendship to other children and has also sought to telephone you whenever a dispute with members of staff at Alloefield View has arisen. I understand that you have firmly told him that you do not intend to get involved in these disputes, but I feel that residential workers have been put in a difficult position.

I appreciate that your interest in John and Jane B has arisen out of your friendship with the family before the children came into care. However, I feel that it would be better if your role as a family friend was kept quite separate from your position as Director of Social Services. At present, this distinction is obviously not understood by John and I feel that he is a boy who could exploit the situation if given the opportunity to do so.

S A Green

Mr S A Green
Area Social Services Officer

(PLEASE NOTE THE NAMES OF THE CHILDREN AND PARENTS HAVE BEEN ALTERED TO PRESERVE ANONYMITY BUT THE MEMORANDUM IS OTHERWISE AS ORIGINAL).

METROPOLITAN BOROUGH OF CALDERDALE

APPENDIX 7

MEMORANDUM

From: Director of Social Services

To: Mr. S. A. Green
Area Officer,
Northgate House

My Ref.: A/RAR/ED

Contact: Dr. R. A. Ryall Ext.: 43

Your Ref.:

Date: 20th November, 1986

PRIVATE AND CONFIDENTIAL

Re: John B

Thank you for your memorandum commenting on certain problems relating to my prior acquaintance with John and his family before his reception into care, and the issue of conflict of roles in this situation.

I am all too aware of the potential difficulties in these circumstances. You will know that I was acquainted with the B family for several years before the admission of the children to care, and the family identified me as the only person who would be able to care for the two children on the night when Mrs B finally broke down. The situation would, of course, be resolved if I severed any contact with John whilst he was in care. However, that might not be entirely fair to John as he appears to regard me as one of his few friends in life, and with his somewhat unattractive egocentric personality he needs to hang on to any friends he has got.

Whilst I appreciate that John's acquaintance with me has on occasions caused difficulties with residential staff, I do not believe your comments are entirely fair on John. John has not infrequently phoned me whilst he has been in care (as he did before he came into care). However, on only one occasion has a phone call followed a contre-temp with staff. Bearing in mind the large number of conflicts which I suspect he has had, I do not think that this indicates a substantial abuse of the relationship.

The one occasion when he did phone (in relation to the removal of an air gun) was in a situation where I believe staff had manipulated my position - they had used my name (wholly erroneously) to justify the action they were taking. I have taken an utterly consistent line (with one exception detailed below) with John that I would not get involved in any aspect of his dealings with residential or fieldwork staff.

There may well have been other instances where John has threatened to contact me when he has got into difficulties, but it is significant that he did not do so. I would add that I have spent substantial amounts of time with staff at Alloefield View to try to ascertain the extent of these difficulties and to reasure them as to where I stood. I have also asked Mr. Shields to feed back to me any problems.

Concerning any suggestion of special treatment for John I am sure that he would deny that he has any expectation of this because of his acquaintance with me. He certainly has never been led to believe he would get any and I would deplore it if he received it. However, I can well believe that he uses my name, and I will tackle him on this matter when I next hear from him. I suspect that if he didn't have that to boast about he would find something else to make himself objectionable when he was in a mood.

I regret that the two visits were not the subject of consultation with the area social worker, and I shall ensure that does not happen again. Your assumption that each visit (which were for both children) had Mrs B's specific approval is, of course, correct.

In terms of keeping my role as a family friend separate from my role as Director, I would point our that, in spite of being asked to by John, I attended neither of his reviews, because of the possible confusion this might have caused. I have not intervened or influenced any decision making process with respect to his or Jane's stay in care (although I had reservations about the decision for Jane to return home), nor have I intervened (with one exception) in any issue concerning the treatment of John.

The one exception where there was perhaps some blurring of role was when, after an extended period of time, no action had been taken on a review recommendation that activities should be arranged for John during the summer. John's behaviour was deteriorating, and, in the absence on sick leave of the social worker, I had a word with Mr. Eccles who fixed up a programme with Mrs. Alvarez.

The possible problems of conflict in roles in this situation go beyond issues relating to its manipulation by John. It has been inevitable that over the last few months I have seen, in some detail, from the perspective of the consumer something of the services provided by both residential care and the fieldwork service. However, because of the role from which I gained these perceptions I have felt it inappropriate to pursue, or make comment on, matters which in my role as Director I might have wished to make a note of.

I trust from this memorandum you will appreciate that I have been most exercised by the possible difficulties in this situation. To be frank, I think that John's behavioural difficulties, and hence the temptation to try to manipulate his acquaintanceship with myself, will lessen now he is at 193 Huddersfield Road.

Please do not hesitate to contact me again if you perceive any further problems, or if you want to discuss this issue with me.

Dr. R. A. Ryall
Director of Social Services

(PLEASE NOTE THE NAMES OF THE CHILDREN AND PARENTS HAVE BEEN ALTERED TO PRESERVE ANONYMITY BUT THE MEMORANDUM IS OTHERWISE AS ORIGINAL).

THE CIRCUMSTANCES OF MRS RIDING'S DISMISSAL

1. On 25 November 1984, Mr A Pearson, the Principal Residential and Day Care Manager (Mental Health and Mental Handicap) with responsibility for Theophilus Cottage, received a telephone call from Mrs H A Marshall, a Senior Care officer at the hostel. She was concerned at the way Mrs Riding was handling a complaint made by one of the residents. He was alleging that some £24.00 held on his behalf at the hostel had been misappropriated. Mr Pearson went to the hostel to investigate and spoke to the resident, Mrs Marshall and Mrs Riding. The resident appeared to be mentally stable and rational. He maintained that the money was missing and Mrs Riding said that he was mistaken. It was Mrs Riding's responsibility to look after the money so she was effectively being accused of theft. Mr Pearson immediately called in the police who concluded that there was insufficient evidence to justify criminal proceedings.

2. The next day Mr Pearson received a telephone call from Mrs J G Holdsworth, the Deputy Officer at the hostel, who expressed concern about Mrs Riding and the possibility of there being other financial irregularities. Mr Pearson agreed to meet the staff at the hostel the next morning whilst Mrs Riding was off duty. Despite their feelings of loyalty to Mrs Riding as team leader the staff told him of their anxiety about her running of the hostel and gave examples of apparent financial misappropriation, which were supported by evidence. After carrying out his own investigation Mr Pearson decided that there were sufficient grounds to suspend Mrs Riding and for a special audit to be carried out. He then told Dr Ryall for the first time of the situation at the hostel and Dr Ryall approved the suspension and the audit. Mrs Riding was suspended from her post on 27 November. Mr Pearson prepared a written report of his findings. The Audit was carried out by Mr G Denham and Mr D Herbert of the Audit Section off the Finance Department. They interviewed all the staff and resdients and investigated the matters set out in Mr Pearson's report. On 6 December Mrs Riding was given an opportunity to explain the irregulariities that had been uncovered at a meeting attended by Dr Ryall, Mr Pearson, Mr Denham and Mr Herbert and a representative from her trade union, Nalgo. The next day she was sent a letter outlining the points that had been discussed and confirming her continued suspension.

3. Mrs Denham prepared his report and in it concluded that there was sufficient evidence of gross misconduct to warrant dismissal but recommended against referring the matter to the police. Any decision to dismiss Mrs riding would be dependant on the outcome of a disciplinary hearing. If the charges were found to be proved it would be the decision of Dr Ryall, assisted

in this case by a reprepsentative of the Personnel Department. By letter dated 19 December 1984, Mrs Riding was informed that enquiries had been completed and that a disciplinary hearing would take place on 8 January. She was informed of the six allegations to be considered and told that she might be accompanied by a trade union representative or a friend. The allegations were as follows:

a) The encashment of two cheques (for the sum of £23.00) through her personal account, written and drawn on the account of a resident when he was mentally unable;

b) The claiming of car mileage allowances for journeys that she had not undertaken;

c) The claiming of car mileage allowance for which she had been reimbursed by a resident;

d) The claiming of petty cash reimbursement for items of equipment which could not be accounted for;

e) The disappearance of an aluminium step ladder from the hostel;

f) The mismanagement of another resident's finances.

In fact the hearing took place on 15 January 1985. In addition to those who attended the December meeting, Mr C Yates (Assistant Personnel Officer) and Mr Coupe (from Nalgo and attending as Mrs Riding's advocate) were present. The hostel staff who gave evidence included Mrs Houdsworth, Mrs Marshall, Mrs Oddy (a retired Care Assistant) and Mrs Barmby (a cleaner). A written statement was supplied by Miss Fitzgerald (a Senior Care Officer). Dr Ryall chaired the meeting and after hearing the evidence and closing submissions from Messrs Coupe, Pearson and Denham, proceedings were adjourned to allow Dr Ryall to consider the matter, assisted by Mr Yates. When the meeting reconvened the next day Mrs Riding was found guilty of four of the charges and she was dismissed for gross misconduct. She appealed to the Disciplinary Sub-Committee (comprising of elected members). After a long hearing on 4 March 1985, with Mr Coupe again representing her, the appeal was dismissed.

Mrs Riding did not take her case to the Industrial Tribunal. She told us that she had been advised that it would be too traumatic for her. No allegations of improper behaviour were ??

DONALD H

1. We felt it appropriate to investigate the case of Donald H and were supplied with his file which was still in the possession of the Department. Although we found no evidence of any improper behaviour by Dr Ryall there were matters which came within our terms of reference which we thought might best be dealt with in an appendix.

2. In early 1982 Donald H, a 26 year old epileptic, had been admitted to Theophilus Cottage until a flat could be found for him. He had a grossly immature personality with a tendancy to fantasise and become overdependent on those adults with whom he formed a relationship. His social worker was Miss Paula Read. In March 1982 Donald came into contact with Mr Martin Bridge, a social worker attached to the Psychiatric Unit at Halifax General Hospital. There was a fire at the hostel and Mr Bridge helped out afterwards. He found Donald to be in a highly emotional state and tried to calm him down by encouraging him to talk about himself. Donald told Mr Bridge that he was concerned about his own sexual orientation but could not discuss this with his social worker or the hostel staff because they were female. Mr Bridge told him that there were local groups who could help but that he would be available as a friend if there was anything worrying him. On 1 April Donald took up residence in a flat. Mr Bridge received a telephone call on 2 July from Donald who was very depressed and wanted to meet other people. With some reluctance Mr Bridge says that he invited Donald to join him on a weekend's camping trip that he was going on that evening. He felt that Donald might benefit from the experience since one of the others going also suffered from epilepsy. Mr Bridge was unable to contact Miss Read about the trip. Donald accompanied Mr Bridge and they shared a tent. Mr Bridge tells us that those on the camp were a group of friends of both sexes from teaching and social services backgrounds. Donald joined in as best he could. On the Saturday evening there was a barbecue which ended with a frank discussion of political, ethical and sexual matters. Mr Bridge retired to bed leaving Donald listening to this. During the journey home the next day Donald praised the weekend experience in extravagant terms.

3. The weekend had a profound effect on Donald. When Miss Read saw him on 5 July he looked well and told her about it. He said that most of the company had been homosexual and he had enjoyed their company. Miss Read thought that the weekend had enabled Donald to come to terms with his own homosexuality but that it had been a shock and he would need to discuss matters with her. On 7 July she met him again. He was agitated but not upset about his experiences. No mention is recorded in her notes of Donald having participated in any

homosexual activity. She was concerned about the position of Mr Bridge and consulted the Brighouse office. Later the same day Mrs Riding spoke to Dr Ryall about Donald.

4. According to his note Mrs Riding told Dr Ryall of what Donald had said to her about the weekend. He had first mentioned that whilst on duty at the hostel following the fire Mr Bridge had admitted to being a homosexual to Donald. The note then goes on to deal with the camp at which it is suggested that homosexual activity had taken place between Donald and Mr Bridge. Donald was not making a complaint against Mr Bridge and wanted to go on another camp with him. He was distressed when he had seen Mrs Riding because of his realisation of his homosexuality. She was concerned about the effect of this on his relationships with family and friends. The note was passed on to Mr Jones.

5. Mr Bridge prepared a written account of his dealings with Donald after he heard that Donald was saying that he wanted an affair with him. He denies that he made any declaration of homosexuality to Donald or that homosexual activity had taken place at the camp involving Donald, least of all with himself. He told us that he had been unaware of the contents of Dr Ryall's note until we showed it to him.

6. We did not hear evidence from Mr Jones on this matter because it came to light after he had given his evidence but we understand that he has no recollection of it. There were some notes of his in the file. He appears to have heard of the situation first from Dr Ryall on 8 July and then subsequently met Miss Read and other social workers from Brighouse. He lists a number of issues to be resolved including the nature of Mr Bridge's relationship with Donald, the alleged declaration of homosexuality and whether disciplinary proceedings were appropriate. Mr Bridge tells us that he had a formal meeting with Mr Jones in the presence of another council officer. He recalls being questioned about the alleged declaration of homosexuality but not about any allegation of homosexual relations with Donald. We have no note of the meeting but since Mr Jones had been considering disciplinary action we can only conclude that he was satisfied with what Mr Bridge had to say. Mr Bridge tells us that no disciplinary action was taken against him.

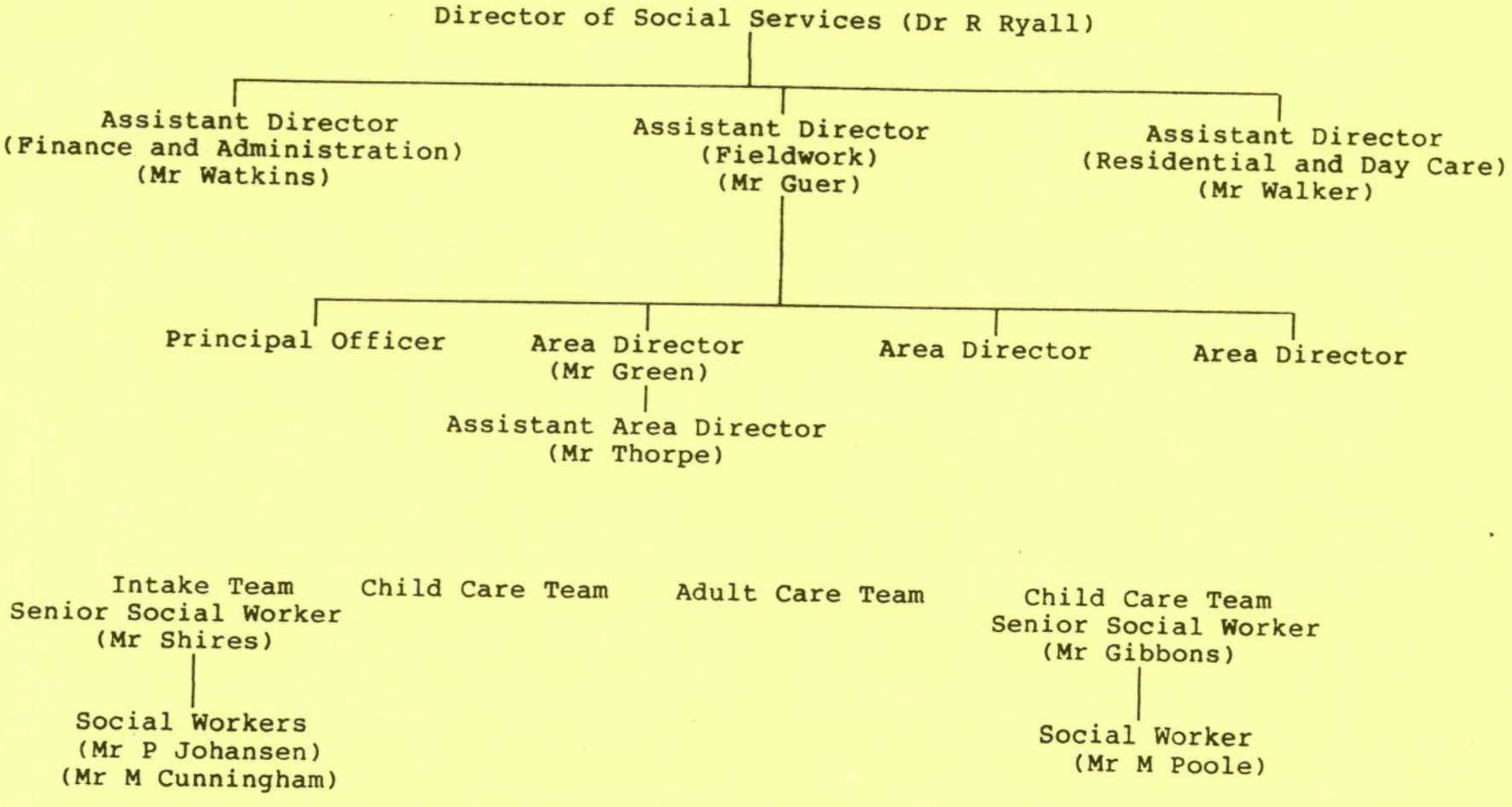
7. On 14 July Mr Bridge met Miss Read and a senior social worker to discuss his involvement with Donald and the resulting difficulties. It was agreed that he would withdraw from the case. The records show that Donald remained in continual contact with the Department through July and August. His highly charged emotional state began to calm down. By the end of 1982 his contacts became less frequent and the situation

improved to the extent that he agreed that he was able to look after his own affairs. The file closes on 2 March 1983.

8. On 22 August 1988, Mr Walker, then Acting Director, found a copy of the Ryall note in Dr Ryall's former office. Since it was undated and there was no record of any disciplinary proceedings against Mr Bridge he drew it to the attention of Mr Ellison who referred it to the police. The decided that in view of Donald's age there was no evidence of a criminal offence having being committed. Further enquiries by Mr Walker led to the production of Donald's file which had been retained at the Brighouse office.

9. We concluded that there was no satisfactory evidence that Dr Ryall had been involved in this matter before Mrs Riding contacted him. He made no attempt to protect Mr Bridge but reported what he had been told to Mr Jones. It was Mr Jones who took the decision about disciplinary proceedings. Dr Ryall appears to have acted perfectly properly throughout. These events took place in 1982. Mr Bridge denies that anything improper took place between him and Donald. The evidence to the contrary came only from Donald who was unlikely to be a reliable witness in view of his tendency to fantasise. We find it difficult in the circumstance to comment on whether there should have been disciplinary proceedings. We can say that Mr Bridge seems to have allowed an unfortunate blurring of his personal relationships with his professional role. It seems to us to be unsatisfactory that Miss Read does not appear to have known of his involvement with Donald until after the camp and that she was not consulted beforehand. In view of the passage of time we are doubtful that the matter can be taken any further.

STRUCTURE OF CALDERDALE SOCIAL SERVICES DEPARTMENT - MAY 1988



APPENDIX 10