

Cunninghame House,  
Irvine.

18 August 2016

## **Appeals Committee**

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in North Coast & Islands Committee Room, Cunninghame House, Irvine on **FRIDAY 26 AUGUST 2016** at **10.30 a.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

### **1. Declarations of Interest**

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

### **2. Minutes**

The accuracy of the Minutes of the meeting of the Committee held on 12 August 2016 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

## **Exempt Information**

### **3. Exclusion of the Public**

Resolve in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

### **4. Disciplinary Procedure: Appeal Against Dismissal**

#### **Non Disclosure of Information**

In terms of Standing Order 19 (Disclosure of Information), the information contained within the following report is confidential information within the meaning of Section 50A of the 1973 Act and shall not be disclosed to any person by any Member or Officer.

- 4.1** Submit report by the Chief Executive on the background to an appeal against dismissal by a former employee within the Health and Social Care Partnership (copy enclosed).

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## Appeals Committee

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Sederunt: Alan Munro  
Grace McLean  
John Easdale

Chair:

Attending:

Apologies:

Meeting Ended:



Appeals Committee  
12 August 2016

**IRVINE, 12 August 2016** - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

**Present**

Alan Munro, Grace McLean and John Easdale

**In Attendance**

S. Montgomery, Senior Manager, Legal Services (Democratic Service); and R. Lennon, Senior HR Adviser.

**Also In Attendance**

H. McArthur, Senior Manager (Community Care) (Health and Social Care Partnership); T. Drain, Senior HR Advisor (Human Resources and Organisational Development) (Finance and Corporate Support); the appellant and the appellant's representative.

**Chair**

Councillor Munro in the Chair

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

**2. Minutes**

The accuracy of the Minutes of the meeting of the Committee held on 8 July 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Exclusion of the Public**

The Committee resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

#### **4. Disciplinary Procedure: Appeal Against Dismissal**

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Health and Social Care.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant was given the opportunity to respond to the issues raised and to ask questions of the Service Representative. Members of the Committee were also given the opportunity to ask questions.

Thereafter the appellant presented the grounds of the appeal. The Service Representative was given the opportunity to respond to the issues raised and to ask questions of the appellant. Members of the Committee were also given the opportunity to ask questions of the appellant.

After summing up their respective cases, the Service Representative, together with the appellant and her representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee agreed (a) that the grounds of appeal had been substantiated and the appellant should be reinstated; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 2.15 p.m.