

Appeals Committee  
13 December 2017

**IRVINE, 13 December 2017** - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

**Present**

John Easdale, Timothy Billings and Jimmy Miller.

**In Attendance**

S. Montgomery, Solicitor (Litigation)(Chief Executive's Service); and A. Young, HR Operations Manager (Human Resources) (Finance and Corporate Support).

**Also In Attendance**

Helen McArthur, Senior Manager (Community Care Services); T. Drain, HR Adviser (Finance and Corporate Support); the appellant; and the appellant's representative, Paul Arkison, GMB.

**Chair**

John Easdale 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. Exclusion of the Public**

The Committee resolved in terms of Section 50A(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.

**3. Disciplinary Procedure: Appeal Against Dismissal**

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

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's representative 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 withdrew from the hearing to allow the Committee to deliberate.

Following deliberation, the Committee agreed (a) that the grounds of appeal had been upheld in part and the appellant reinstated with conditions; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 1.50 p.m.