

Appeals Committee
5 September 2008

IRVINE, 5 September 2008 - At a Meeting of the Appeals Committee of North Ayrshire Council at 1.30 p.m.

Present

Robert Barr, Ronnie McNicol, Anthony Gurney, Ruby Kirkwood, David Munn, Robert Rae and Joan Sturgeon.

In Attendance

T.Orr, Corporate Director, O. Clayton, Head of Housing and Building Services, and D. Griffith, Principal Officer (Strategy) (Property Services); D. Green, Chief Legal Officer (Litigation) (Legal and Protective); and G. Young, Human Resource Manager (Personnel).

Also In Attendance

The appellant and his representative. Witnesses called by the Service representative and the appellant.

Chair

Councillor Barr in the Chair.

Apologies for Absence

John Moffat and John Reid.

1. 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 I of Schedule 7A of the Act.

2. Disciplinary Procedure: Appeal against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal submitted by a former employee within Property Services.

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

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

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

The Committee, after a full discussion, and careful consideration of the submissions made by both parties, agreed, with Councillor Rae dissenting, that the grounds of the appeal had not been substantiated and accordingly did not uphold the appeal.

The meeting ended at 4.10 p.m.