



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Appeals Committee

A Special Meeting of the of the Appeals Committee of North Ayrshire Council will be held in the **North Coast and Islands Committee Room**, on **25 February 2019** at 10:30 to consider the undernoted business.

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 Appeals Committee held on 2 November 2018 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 Place (copy enclosed).

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John Easdale
Jimmy Miller
Angela Stephen

Chair:

Apologies:

Attending:

Appeals Committee

2 November 2018

IRVINE, 2 November 2018 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Councillors John Easdale, Jimmy Miller and Marie Burns.

In Attendance

M. Barbour, Solicitor (Litigation) (Democratic Services) and J. Smillie, Senior Manager (HR & OD) (Finance and Corporate Support).

Also In Attendance

H. McArthur, Senior Manager (Community Care Services) (Health and Social Care Partnership); R. Lightfoot, HR Adviser (Finance and Corporate Support); and the appellant and appellant's representative.

Chair

Councillor 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. Minutes

The accuracy of the Minutes of the meeting of the Cabinet held on 3 October 2018 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 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.

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 the Health and Social Care Partnership.

The appellant's representative raised a preliminary point advising that the appellant did not wish to take part in the Appeal Hearing, but confirmed that the appellant was not withdrawing her appeal. The appellant and her representative then left the Appeal hearing.

The Service Representative presented the grounds for dismissal as previously advised to the Appellant in writing.

Members of the Committee were given the opportunity to ask questions.

After summing up the Service Representative's case, the Service Representative withdrew from the hearing to allow the Committee to deliberate.

Following deliberation, the Committee agreed (a) that the grounds of appeal had not been upheld; (b) to confirm the decision previously imposed on the appellant; and (c) that the appellant be so advised within 14 days.

The Meeting ended at 11.40 a.m.