



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Appeals Committee

A Meeting of the of the Appeals Committee of North Ayrshire Council will be held in via Microsoft Teams, on **26 November 2020** 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 17 September 2020 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.

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. Disciplinary Procedure: Appeal Against Dismissal

- 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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John Easdale
John Glover
Davina McTiernan

Chair:

Apologies:

Attending:

Appeals Committee
17 September 2020

A Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m. participation by remote electronic means.

Present

Councillors Timothy Billings, John Glover and Davina McTiernan.

In Attendance

J. Smillie, Senior Manager (Human Resources & Organisational Development) (People and ICT); D. Grier, Solicitor (Litigation) and E. Gray, Committee Services Officer (Democratic Services).

Also In Attendance

A. McClelland, Head of Service, (Education) (Communities); R. Lightfoot, HR Adviser (Finance and Corporate Support); the appellant; and the appellant's representative.

Chair

Councillor Timothy Billings 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 25 June 2019 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 Communities.

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 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 and the appellant 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 2.20 p.m.