

## Appeals Committee

11 April 2019

**IRVINE, 11 April** - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

### **Present**

Councillors John Easdale, Davina McTiernan and Timothy Billings.

### **In Attendance**

D. Grier, Solicitor (Litigation) (Democratic Services) and F. Carlyle, HR Advisor (Finance and Corporate Support).

### **Also In Attendance**

H. McArthur (Community Care Services) (Health and Social Care Partnership); T. Drain, HR Adviser (Health and Social Care Partnership); 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 19 March 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 service representative presented the grounds for dismissal as previously advised to the appellant in writing.

The appellant and the appellant's representative were 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, the appellant and the appellant's 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 2.25 p.m.