

Appeals Committee
14 August 2009

IRVINE, 14 August 2009 - At a Meeting of the Appeals Committee of North Ayrshire Council at 2.00 p.m.

Present

Ronnie McNicol, Ruby Kirkwood, John Moffat, David Munn, Robert Rae and Joan Sturgeon.

In Attendance

D. Green, Chief Legal Officer (Litigation) (Legal and Protective); A. Young, HR Team Leader and J. Festorazzi, HR Officer (Human Resources); G. Clark, Operations Manager, Grounds Maintenance, Cleansing, Grounds Maintenance and Transport (Property Services).

Also In Attendance

The appellant and his representative.

Chair

Councillor McNicol in the Chair.

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. 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.

After summing up their respective cases, the service representative and the appellant, 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 (a) that the grounds of the appeal had not been substantiated and accordingly not to uphold the appeal; and (b) that the appellant and the service representative be advised of the outcome of the hearing.

The meeting ended at 3.00 p.m.