

Appeals Committee
21 September 2012

IRVINE, 21 September 2012 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alex McLean, Ruth Maguire, Robert Barr, Elizabeth McLardy, Ronnie McNicol and Irene Oldfather.

In Attendance

A. Bodie, Head of Infrastructure and Design (Infrastructure and Design); A. Craig, Senior Solicitor (Litigation) (Corporate Services); A. Young, Acting Senior Human Resources Manager, M. Youd, Human Resources Adviser and A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

The appellant and his representative.

Chair

Councillor McLean in the Chair

Apologies for Absence

John Easdale, David O'Neill, Robert Steel and Joan Sturgeon.

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 1 of Schedule 7A of the Act.

2. Maximising Attendance Procedure: Appeal Against Dismissal

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

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant and his 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 and his representative 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, together with the appellant and his representative, 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 that (a) the grounds of the appeal had been substantiated; and (b) the appeal is upheld to the extent that the dismissal is withdrawn and the appellant is re-instated from the date of dismissal and placed at Stage 2 within the Maximising Attendance Procedure with effect from 21 September 2012.

The meeting ended at 11.05 a.m.