

Appeals Committee
1 February 2013

Irvine, 1 February 2013 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alex McLean, John Easdale, Elizabeth McLardy, Jim Montgomerie and David O'Neill.

In Attendance

C. Andrew, Senior Manager Legal Services and A. Little, Committee Services Officer (Chief Executive's Service); L. Campbell, Acting Human Resources Team Manager (Finance and Corporate Support).

Also In Attendance

R. McCutcheon, Head of Environment and Related Services and M. Youd, Human Resources Adviser (Chief Executive's Services); and the Appellant.

Chair

Councillor McLean in the Chair.

Apologies for Absence

Robert Barr, Ronnie McNicol, Irene Oldfather and Robert Steel.

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. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Councillors Code of Conduct.

3. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Environment and Related 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, together with the appellant, withdrew from the hearing to allow the Committee to deliberate.

The Committee, after a full discussion and careful consideration of the submissions, agreed (a) that the grounds of the appeal had not been substantiated and the appeal should not be upheld; and (b) that the appellant be so advised within 14 days.

The meeting ended at 11.25 a.m.