

Appeals Committee
26 September 2014

IRVINE, 26 September 2014 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Robert Barr, John Hunter, John Easdale, Elizabeth McLardy, Ronnie McNicol and Jim Montgomerie.

In Attendance

A. Young, HR Operations Manager (Human Resources) (Finance and Corporate Support); A. Craig, Team Manager, Litigation (Chief Executive's Service).

Also In Attendance

A. Paterson, Senior Manager (Health & Social Care Partnership), T. Drain, HR Adviser (Human Resources) (Finance and Corporate Support), the Appellant and her representative.

Chair

Depute Provost Barr in the Chair.

Apologies for Absence

Joan Sturgeon.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the meeting of the Committee held on 21 February 2014 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 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.

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 Social Services and Health.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant, and her 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's 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 and her representative. Members of the Committee were also given the opportunity to ask questions of the appellant and her representative.

After summing up their respective cases, the Service Representative, together with the appellant and her representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee, after a full discussion and careful consideration of the submissions, unanimously agreed that (a) the appeal is upheld to the extent that the appellant is reinstated from 20th June 2014; and (b) the appellant be so advised within 14 days.

The meeting ended at 1.20 p.m.