

Cunninghame House,
Irvine.

7 December 2017

Appeals Committee

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in North Coast & Islands Committee Room, Cunninghame House, Irvine on **WEDNESDAY 13 DECEMBER 2017** at **10.30 a.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes (Page 5)

The accuracy of the Minutes of the meeting of the Appeals Committee held on 22 November 2017 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

Exempt Information

3. Exclusion of the Public

Resolve 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

Non Disclosure of Information

In terms of Standing Order 19 (Disclosure of Information), the information contained within the following report is confidential information within the meaning of Section 50A of the 1973 Act and shall not be disclosed to any person by any Member or Officer.

- 4.1** Submit report by the Chief Executive on the background to an appeal against dismissal by a former employee within the Health and Social Care Partnership.

Appeals Committee

Sederunt: John Easdale (Chair)
Timothy Billings
Jimmy Miller

Chair:

Attending:

Apologies:

Meeting Ended:

Appeals Committee
22 November 2017

IRVINE, 22 November 2017 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

John Easdale, Marie Burns and Jimmy Miller.

In Attendance

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

Also In Attendance

J. Butcher, Executive Director (Education and Youth Employment); and C. Devoy, HR Advisor (Human Resources) (Finance and Corporate Support); and the appellant.

Chair

Councillor 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. 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.

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 Education and Youth Employment.

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 the 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 together with the appellant 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; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 1.45 p.m.