

Appeals Committee  
27 February 2009

**IRVINE, 27 February 2009** - At a meeting of the Appeals Committee of North Ayrshire at 1.30 p.m.

**Present**

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

**In Attendance**

D. Green, Chief Legal Officer (Litigation) (Legal and Protective); L. Morrison, HR Manager (Personnel).

**Also In Attendance**

T. Orr, Corporate Director (Property Services), the appellant, his union representative and witnesses.

**Chair**

Councillor McNicol in the Chair.

**Apologies for Absence**

Robert Barr, Tom Barr, Anthony Gurney, John Reid, and Robert Rae

**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 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 and called witnesses. The service representative was given the opportunity to respond to the issues raised and to ask questions of the appellant and his witnesses. 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, his representative and witnesses 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 the grounds of the appeal had not been substantiated and accordingly did not uphold the appeal.

The meeting ended at 4.05 p.m.