

Appeals Committee  
24 November 2009

**IRVINE, 24 November 2009** - At at Meeting of the Appeals Committee of North Ayrshire Council at 12 noon.

**Present**

Robert Barr, Ronnie McNicol, Tom Barr, Ruby Kirkwood, Margaret McDougall and David Munn.

**In Attendance**

D. Green, Chief Legal Officer (Litigation) (Legal and Protective); G. Young, HR Manager (Human Resources).

**Chair**

Councillor R. Barr in the Chair.

**Apologies for Absence**

John Ferguson, Elizabeth McLardy, John Moffat, Robert Rae 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 I of Schedule 7A of the Act.

**2. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 16.

**3. Disciplinary Procedure: Appeal Against Dismissal**

On 20 November 2009, the Committee considered an appeal against dismissal by a former employee within Educational Services. At that time submissions were made by the appellant and his representative and by the Service representative. The Committee agreed to adjourn the proceedings to a future meeting to enable further consideration of the information presented by the Service representative and the appellant.

The Committee resumed consideration of the submissions made by both parties at the previous meeting.

The Committee agreed that (a) the grounds of the appeal had been substantiated in part; (b) the appeal is upheld to the extent that the dismissal is suspended; (c) the appellant is given a final written warning; and (d) the appellant is demoted and transferred to another school, with no right to compulsory travelling expenses or access to any resettlement scheme.

The meeting ended at 1.15 p.m.