

Appeals Committee
12 February 2010

IRVINE, 12 February 2010 - At a Meeting of the Appeals Committee of North Ayrshire Council at 12.30 p.m.

Present

Robert Barr, Ronnie McNicol, Tom Barr, John Ferguson, Ruby Kirkwood, Elizabeth McLardy, Margaret McDougall, John Moffat, David Munn and Joan Sturgeon.

In Attendance

D. Green, Chief Legal Officer (Litigation); P. Carlin, Manager Resources and Administration (Educational Services); A. Young, HR Team Leader (Human Resources).

Also In Attendance

The appellant and his representative.

Chair

Councillor R. Barr in the Chair.

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 Final Written Warning

Submitted report by the Chief Executive on the background to an appeal against a Final Written Warning issued to an employee within Educational Services.

The Service representative presented the reasons for the Final Written Warning 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. 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 and his representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee, after a full discussion and consideration of the submissions made by both parties, unanimously agreed that the grounds of the appeal had not been substantiated and accordingly did not uphold the appeal.

The meeting ended at 1.30 p.m.