

Appeals Committee
19 March 2010

IRVINE, 19 March 2010 - At a Meeting of the Appeals Committee of North Ayrshire Council at 12.30 p.m.

Present

Robert Barr, Ruby Kirkwood, William Gibson, Elizabeth McLardy, Margaret McDougall and John Moffat.

In Attendance

D. Green, Chief Legal Officer and E. McLaren, Senior Solicitor (Litigation)(Legal and Protective); W. Turpie, HR Team Leader and L. Campbell, HR Adviser (Human Resources) and J. Montgomery, General Manager (Chief Executive's Service).

Also In Attendance

The appellant and her representative.

Chair

Councillor R. Barr in the Chair

Apologies for Absence

Tom Barr, Ronnie McNicol, John Ferguson, David Munn and Joan Sturgeon.

1. Declarations of Interest

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

2. 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.

3. 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 the Chief Executive's Service.

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 and her 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 her representative, withdrew from the hearing to allow the Committee to deliberate, returning to hear the Committee's decision.

The Committee, after a full discussion, and careful 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 4.55 p.m.