

Cunninghame House,  
Irvine.

21 April 2016

## **Appeals Committee**

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in Medium Meeting Room, Finance, 2nd Floor East, Cunninghame House, Irvine on **FRIDAY 29 APRIL 2016** 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**

The accuracy of the Minutes of the meeting of the Committee held on 29 January 2016 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy to follow).

## **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 Education & Youth Employment (copy enclosed).

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## Appeals Committee

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Sederunt: Alec Gallagher  
Grace McLean  
Alan Munro

Chair:

Attending:

Apologies:

Meeting Ended:



Appeals Committee  
29 January 2016

**IRVINE, 29 January 2016** - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.40 a.m.

**Present**

Alan Munro, Marie Burns and Grace McLean.

**In Attendance**

A. Craig, Team Manager (Litigation) (Chief Executive's Service); and M. Youd, HR Adviser (Human Resources) (Finance and Corporate Support).

**Also In Attendance**

C. Amos, Head of Service (Inclusion) (Education and Youth Employment); A. Young, Senior HR Adviser (Human Resources) (Finance and Corporate Support); and Appellant and his representative.

**Chair**

Councillor Munro 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. Minutes**

The accuracy of the Minutes of the meeting of the Committee held on 11 December 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. 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 1 of Schedule 7A of the Act.

#### **4. 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, 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.

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short period to seek Officer advice. The meeting reconvened with the same Members, officers and parties to the appeal present.

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 and his representative. Members of the Committee were also given the opportunity to ask questions of the appellant and his representative.

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 agreed (a) that the grounds of appeal had not been substantiated and the appeal should not be upheld; and (b) that the appellant be so advised within 14 days.

The meeting ended at 12 noon.