

Appeals Committee
29 April 2016

IRVINE, 29 April 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alan Munro, Alex Gallagher and Grace McLean.

In Attendance

C. Andrew, Senior Manager Legal Services (Chief Executive's Service) and A. Young, HR Operations Manager (Finance and Corporate Support).

Also In Attendance

C. Amos, Head of Service (Inclusion) (Education and Youth Employment); C. Devoy, HR Adviser (Finance and Corporate Support); and Appellant and her 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 29 January 2016 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. CCTV footage relating to the case was also viewed at the meeting.

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

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.

The Committee agreed (a) that the grounds of appeal had been partly substantiated and the appeal should be upheld, subject to the appellant (i) receiving a final written warning and (ii) being transferred; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 2.15 p.m.