

Appeals Committee  
24 October 2012

**IRVINE, 24 October 2012** - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.00 a.m.

**Present**

Alex McLean, Ruth Maguire, Robert Barr, John Easdale and Ronnie McNicol.

**In Attendance**

A. Craig, Team Manager Litigation (Corporate Services); A. Young, Acting Human Resources Team Manager (Human Resources) and A. Little, Committee Services Officer (Chief Executive's Service).

**Also In Attendance**

C. Hatton, Head of Environment and Related Services (Finance and Infrastructure); M. Youd, Human Resources Adviser (Chief Executive's Services); the Appellant, his representative; and a witness.

**Chair**

Councillor McLean 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 1 of Schedule 7A of the Act.

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

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Environment and Related Services (Finance and Infrastructure).

The Committee viewed CCTV footage of an incident that took place at the Magnum Leisure Centre, Irvine.

Following a short recess period, the Service Representative presented the grounds for dismissal as previously advised to the appellant in writing, and called a witness. The appellant and his representative were given the opportunity to respond to the issues raised and to ask questions of the Service Representative and the witness called. 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 and witness, together with the appellant and his representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee, after a full discussion and careful consideration of the submissions, agreed (a) that the grounds of the 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 11.55 a.m.