

Cunninghame House,
Irvine.

8 December 2016

Appeals Committee

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in Garnock Committee Room, Cunninghame House, Irvine on **FRIDAY 16 DECEMBER 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 25 November 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 enclosed).

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 Place (copy enclosed).

Appeals Committee

Sederunt: Alan Munro (Chair)
Marie Burns
Grace McLean

Chair:

Attending:

Apologies:

Meeting Ended:

Appeals Committee
25 November 2016

IRVINE, 25 November 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Councillors Alan Munro, Marie Burns and Donald Reid

In Attendance

A. Craig, Team Manager (Litigation)(Democratic Services); and A. Young, HR Operations Manager, Jenny Scales (shadowing) (Human Resources and Organisational Development) (Finance and Corporate Support).

Also In Attendance

Russell McCutcheon, Head of Service (Commercial)(Place); and Fiona Carlyle, HR Adviser (Finance and Corporate Support); the appellant and Paul Arkison, GMB.

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 28 October 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 50A(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 Place.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant was 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 presented the grounds of the 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 of the appellant.

After summing up their respective cases, the Service Representative together with the appellant, the appellant's representative and officers, withdrew from the hearing to allow the Committee to deliberate.

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

The Meeting ended at 12 noon.