

Appeals Committee
9 June 2022

At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m. involving participation by remote electronic means.

Present

John Bell, Shaun Macaulay and Tom Marshall.

In Attendance

J. Smillie, Senior Manager (HR & OD) (People and ICT) and D. Grier, Solicitor (Litigation) (Democratic Services).

Also In Attendance

B. Borthwick, Senior Manager (Building Services) (Place); M. Jackson, HR Adviser (HR & OD); and the appellant and appellant's representative.

Chair

Councillor Bell in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. 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.

3. Disciplinary Procedure: Appeal Against Demotion

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.

The appellant 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 of the appellant.

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.

Following deliberation, the Committee agreed (a) that the grounds of appeal had not been upheld; (b) to confirm the decision previously imposed on the appellant; and (c) that the appellant be so advised within 14 days.

The Meeting ended at 12.15 p.m.