

Appeals Committee
29 March 2007

IRVINE, 29 March 2007 - At a meeting of the Appeals Committee of North Ayrshire Council at 12.30 p.m.

Present

David Munn, Drew Duncan, Jane Gorman, Jean Highgate and Nan Wallace.

In Attendance

D. Green, Chief Legal Officer (Litigation) (Legal and Protective); S. Ferguson, Personnel Manager and T. Drain, Personnel Adviser (Personnel); D. Brown, Manager Community Care (Older People) and H. McArthur, Assistant Principal Officer (Social Services).

Also In Attendance

The appellant was present and was represented.

Chair

Councillor Munn in the Chair.

Apologies for Absence

Jacqueline Browne, Peter McNamara, Alan Munro, David O'Neill and Richard Wilkinson.

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 I 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 submitted by a former employee within Social Services.

The Service representative presented the grounds for dismissal as previously advised to the appellant in writing, and called witnesses. 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 witnesses 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. Members of the Committee were also given the opportunity to ask questions.

After summing up their respective cases, both parties withdrew from the hearing to allow the Committee to deliberate.

The Committee, after a full discussion, and careful consideration of the submissions made by both parties, unanimously agreed that the grounds of the appeal had not been substantiated and accordingly agreed not to uphold the appeal.

The meeting ended at 2.30 p.m.