

EAST AYRSHIRE COUNCIL

APPEALS PANEL

**MINUTES OF MEETING HELD ON TUESDAY 7 OCTOBER 2008 AT 1100 HOURS
IN MEETING ROOM 2, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Jim Todd, Robert Keohone, Provost Stephanie Young and Councillors Jimmy Kelly and Jim Roberts.

ATTENDING: George Park, Employee Relations Manager; and Sharon McHarg, Administrative Officer.

CHAIR: Councillor Jim Todd, Chair.

EXCLUSION OF PRESS AND PUBLIC

1. The Panel resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act.

DISCIPLINARY APPEAL NO D3/08

2. There was submitted a copy of the Disciplinary Appeals Hearing Procedure together with submissions by the Department of Educational and Social Services and the appellant's representative (all circulated).

ADJOURNMENT/RECONVENTION

3. The Panel agreed to adjourn at 1110 hours to enable the Panel to take legal advice regarding concerns expressed by the appellant's representative over the documentation presented to the Panel in the submission by the Department of Educational and Social Services not being signed or dated.

The Panel reconvened at 1200 hours with the same Members and Officers present and in attendance.

DISCIPLINARY APPEAL NO D3/08

4. The Panel, having heard the Chair advise that while it was best practice to circulate the signed documents, it was not a legal requirement, agreed to circulate a copy of the signed and dated summary report and witness statements (then circulated).

ADJOURNMENT/RECONVENTION

5. The Panel adjourned at 1310 hours and reconvened at 1315 hours with the same Members and Officers present and in attendance.

OUTCOME OF APPEAL

6. Having heard both parties, the Panel unanimously agreed that the grounds of the appeal had not been substantiated and the appeal was not upheld.

The meeting terminated at 1455 hours.