

EAST AYRSHIRE COUNCIL

APPEALS PANEL

MINUTES OF MEETING HELD ON WEDNESDAY 30 APRIL 2008 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Jim Todd, Tom Cook, Gordon Cree, Hugh Ross and Elaine Dinwoodie.

ATTENDING: Martin Rose, Head of Personnel; and Gillian Hamilton, Administrative Officer.

CHAIR: Councillor Jim Todd, Chair.

ADJOURNMENT/RECONVENTION OF MEETING

1. It was agreed to adjourn the meeting at 1005 hours to allow the appellant the opportunity to be present. The meeting reconvened at 1035 hours with the same Members and Officers present and in attendance.

EXCLUSION OF PRESS AND PUBLIC

2. 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 D1/08

3. There was submitted a copy of the Disciplinary Appeal Procedure together with submissions by the Department of Educational and Social Services and by the appellant (all circulated).

3.1 Disciplinary Procedures - Preliminary Issues

The appellant being not present, it was agreed to hear the appellant's representative on a number of preliminary issues in respect of the productions submitted by management's representative. Management's representative then responded to the points raised. Thereafter, both parties withdrew to allow the Panel to consider the issues raised and to take advice from the Head of Personnel.

- 3.2 The appellant's representative and management's representative re-joined the meeting and it was then agreed to adjourn the meeting, to be reconvened at a future date, in order to provide the opportunity for the appellant and the appellant's representative to prepare being now in receipt of full productions.

ADJOURNMENT/RECONVENTION

The meeting then adjourned at 1126 hours.

Administrative Note

The Appellant, through his Union Representative, subsequently notified the Head of Democratic Services in writing, on 9 May 2008, that he did not wish to proceed with his appeal.