

EAST AYRSHIRE COUNCIL

APPEALS PANEL

MINUTES OF MEETING HELD ON WEDNESDAY 1 APRIL 2009 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK, FRIDAY 3 APRIL 2009 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK AND FRIDAY 22 MAY 2009 AT 1000 HOURS IN THE RECEPTION ROOM, GRAND HALL COMPLEX, KILMARNOCK

PRESENT: Councillors Hugh Ross, Tom Cook, Robert Keohone and Jim Todd.

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

CHAIR: Councillor Hugh Ross, 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act.

DISCIPLINARY APPEAL D1/09

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

The Appeals Panel heard evidence from the appellant's representative and from the management representative, who spoke to all matters raised, all in accordance with the agreed Hearing Procedure.

ADJOURNMENT/RECONVENTION

3. The Panel adjourned at 1901 hours and reconvened on Friday 3 April 2009 at 1400 hours in the Meeting Room, Council Headquarters, London Road, Kilmarnock, with the same Members and Officers present and in attendance with the exception of Gillian Hamilton, Administrative Officer, who was replaced by Lynn Young, Administrative Officer.

It was agreed to adjourn the meeting at 1522 hours and that arrangements be made for the Hearing to be reconvened at a later date for the purpose of affording both parties an opportunity to address the Panel on the contents of an additional documentary production which had been referred to by both parties during the foregoing discussions.

The Panel reconvened on Friday 22 May 2009 at 1000 hours in the Reception Room, Grand Hall Complex, Kilmarnock, with the same Members and Officers present and in attendance with the exception of Lynn Young, Administrative Officer, who was replaced by Gillian Hamilton, Administrative Officer.

FURTHER CONSIDERATION OF APPEAL

4. There was submitted a report by the Depute Chief Executive/Executive Director of Corporate Support together with the documentary production referred to at Paragraph 3, above, (all circulated).

OUTCOME OF APPEAL

5. 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 1105 hours.