

EAST AYRSHIRE COUNCIL

APPEALS PANEL

**MINUTES OF MEETING HELD ON FRIDAY 28 MAY 2010 AT 1000 HRS
IN MEETING ROOM 1, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Iain Linton, Maureen McKay, Robert McDill, Provost Stephanie Young and Moira Pirie.

ATTENDING: Martin Rose, Head of Human Resources; and Lynn Young, Administrative Officer.

CHAIR: Councillor Iain Linton, 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".

GRIEVANCE APPEAL G14/10

2. There were submitted productions by the appellant and the management representative (all circulated). Having taken advice from the Advisor to the Panel, it was agreed to postpone consideration of Grievance Appeal G14/10 to a future date.

APPEAL AGAINST DISMISSAL D4/10

3.1 HEARING PROCEDURE

The Panel noted the Appeals Hearing Procedure (Disciplinary) (circulated).

3.2 CONSIDERATION OF APPEAL AGAINST DISMISSAL D4/10

There were submitted productions by the Executive Director of Educational and Social Services and the appellant (all circulated).

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

The management representative confirmed that paragraph 2.7 of the report should read that the appellant "did display" rather than "did not display" as detailed in the report.

3.3 OUTCOME OF APPEAL

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 1330 hrs.