

EAST AYRSHIRE COUNCIL

APPEALS PANEL

MINUTES OF MEETING HELD ON THURSDAY 4 FEBRUARY 2010 AT 1000 HOURS IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Hugh Ross, Robert Keohone, Provost Stephanie Young and Councillors Neil McGhee and Kathy Morrice.

ATTENDING: Martin Rose, Head of Human Resources; and Christine Baillie, Senior 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 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 D3/09

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

The Panel heard evidence from the Management Representative, her witnesses and the appellant, who spoke to all matters raised, all in accordance with the agreed Hearing Procedure.

OUTCOME OF APPEAL

3. Having heard both parties the Panel unanimously agreed that the grounds of the appeal had been substantiated and the appeal was upheld. They further agreed that the dismissal be replaced with a final written warning and that the appellant be re-deployed to a suitable Janitorial position within the Department of Educational and Social Services.

The meeting terminated at 1140 hours.