

## **EAST AYRSHIRE COUNCIL**

### **APPEALS SUB-COMMITTEE OF THE CORPORATE GOVERNANCE COMMITTEE**

#### **MINUTES OF MEETING HELD ON WEDNESDAY 23 NOVEMBER 2005 AT 0930 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors William Crawford, Robert McDill, William Menzies, Neil McGhee and Jimmy Carmichael.

**ATTENDING:** John Sheridan, Senior Employee Relations Officer; and Julie McGarry, Assistant Administration Manager.

**CHAIR:** Councillor William Crawford, Chair.

#### **EXCLUSION OF PRESS AND PUBLIC**

1. The Sub-Committee 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 D4/05**

2. There was submitted copy of the Disciplinary Appeals procedure together with submissions by the Department and Notification of Appeal form and submissions by the appellant (all circulated).

#### **ADJOURNMENTS/RECONVENTIONS**

3. The Sub-Committee adjourned at 1030 hrs and reconvened at 1040 hrs with the same Members and Officials present and in attendance.  
The Sub-Committee adjourned at 1140 hrs and reconvened at 1145 hrs with the same Members and Officials present and in attendance.  
The Sub-Committee adjourned at 1235 hrs and reconvened at 1330 hrs with the same Members and Officials present and in attendance.

#### **OUTCOME OF APPEAL**

4. Having heard both parties, the Sub-Committee agreed, by a majority, that the grounds of the appeal had been substantiated in part and the appeal was upheld to the extent that the appellant be restored to the Social Work bank register as a Residential Worker and issued with a final written warning which would be effective in respect of any temporary appointment within the 12 month period commencing 23 November 2005. The Sub-Committee's recommendation was also that any future employment opportunities would be reviewed, to protect the appellant and the two young people directly involved in the incidents, to ensure that there would be no direct working relationship.

The meeting terminated at 1533 hrs.