

**APPENDIX I**

**EAST AYRSHIRE COUNCIL**

**APPEALS SUB-COMMITTEE OF THE  
POLICY AND RESOURCES COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 17 JUNE 2003 AT 0930 HRS  
IN THE CHIEF EXECUTIVE'S CONFERENCE ROOM AND ON  
TUESDAY 12 AUGUST 2003 AT 0930 HRS IN THE MEETING ROOM,  
COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors John Knapp, Jim O'Neill, George Smith and Tommy Farrell.

**ATTENDING:** Graham Haugh, Head of Personnel (17 June meeting); George Park, Employee Relations Manager (12 August meeting); and Julie Armstrong, Assistant Administration Manager.

**CHAIR:** Councillor John Knapp, 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 D2/03**

2. There was submitted a copy of the Disciplinary Hearing procedure together with submissions for the Department of Educational and Social Services and submissions by the appellant together with the Notification of Appeal form (all circulated).

**ADJOURNMENT/RECONVENTION**

3. The Sub-Committee adjourned at 1130 hrs and reconvened at 1150 hrs with the same Members and Officials present and in attendance.

**OBJECTION FROM APPELLANT'S REPRESENTATIVE  
REGARDING SUBMISSION**

4. The appellant's representative objected to the supplementary report as shown at production 40 being taken into account at the meeting as this was information collated after the decision to dismiss.

Having considered the submissions made by the parties' respective representatives on this issue, the Sub-Committee agreed to the document being admitted.

**ADJOURNMENTS/RECONVENTIONS**

5. The Sub-Committee adjourned at 1310 hrs and reconvened at 1350 hrs with the same Members and Officials present and in attendance.

The Sub-Committee adjourned at 1550 hrs on 17 June 2003 and reconvened at 0930 hrs on Tuesday 12 August 2003 with the same Members present and in attendance.

**REQUEST FROM APPELLANT REGARDING ADDITIONAL PRODUCTION**

6. The Sub-Committee agreed to accept an additional production by the appellant, copies of which were then made available to Members of the Sub-Committee and both parties.

**REQUEST FROM MANAGEMENT REPRESENTATIVE  
REGARDING ADDITIONAL PRODUCTION**

7. The Sub-Committee agreed to accept an additional production which was in response to the additional production submitted by the applicant, copies of which were then made available to Members of the Sub-Committee and both parties.

**ADJOURNMENT/RECONVENTION**

8. The Sub-Committee adjourned at 1216 hrs and reconvened at 1300 hrs.

**OUTCOME OF APPEAL**

9. Having heard both parties, the Sub-Committee unanimously agreed that the grounds of the appeal had not been substantiated and the appeal was not upheld.

The meeting terminated at 1436 hrs,