

APPEALS PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 10th June 2015 at 10.00 a.m.

Present: Councillors Ian Cavana (Chair), John Allan, Ann Galbraith and Sandra Goldie.

Apologies: Councillors Brian Connolly and John Hampton.

Attending: S. O'Neill, Solicitor; J. Dunne, HR Manager (HR Policy and Operations); and J. McClure, Committee Services Officer.

1. Exclusion of Press and Public.

The Panel resolved, in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded for the following item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 1 of Part 1 of Schedule 7(A) of the Act.

2. Declarations of Interest.

There were no declarations of interest by Members of the Panel in terms of Standing Order No. 17 and the Councillors' Code of Conduct.

3. Minutes of previous meeting.

The minutes of 3rd March 2015 (issued) were submitted and approved.

4. Appeal Against Dismissal.

The appellant, an employee of the Economy, Neighbourhood and Environment Directorate, was in attendance and represented by J. Winter, Unite. J. Rodden, Facilities Manager, represented the Council.

The Panel heard both parties fully on the case and, after questions, both parties withdrew.

Councillor Galbraith, seconded by Councillor Cavana, moved that the grounds of the appeal had not been substantiated and therefore, the appeal was not upheld.

By way of Amendment, Councillor Allan, seconded by Councillor Goldie, moved that the appellant be reinstated and given a final written warning.

On a vote being taken by a show of hands, two Members voted for the Amendment and two for the Motion. The Chair then exercised his casting vote in favour of the Motion.

Having heard and considered carefully all the documents and evidence presented, the Panel

Decided: that the grounds of the appeal had not been substantiated and, therefore, the appeal was not upheld.

Thereafter, both parties were re-admitted to the meeting and advised of the Panel's decision.

The meeting ended at 11.30 a.m.