

APPEALS PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 3rd March 2015 at 10.00 a.m.

Present: Councillors Ian Cavana (Chair), John Allan, Brian Connolly and Ann Galbraith.
Apologies: Councillors Sandra Goldie and John Hampton.
Attending: C. McMenamin, Co-ordinator, Legal Services; 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 16th January 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. K. Dalrymple, Neighbourhood Services Manager, represented the Council.

The Panel heard both parties fully on the case, including evidence from witnesses called by both sides and, after questions, both parties withdrew.

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

Decided: that the grounds of the appeal be upheld in part to the extent that Management's decision to dismiss be overturned, however, in recognition of the seriousness of the conduct, the appellant be reinstated at the conclusion of the 12 week lieu of notice period referred to in the letter of 15th January 2015, to the post of Bin Loader; and that he be suspended from all driving duties for five years from the date of reinstatement.

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

The meeting ended at 2.40 p.m.