

APPEALS PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 29th September 2010 at 10.00 a.m.

Present: Councillors John Hampton (Chair), John Allan, Brian Connolly and Sandra Goldie.

Apologies: Councillors Mike Peddie and Winifred Sloan.

Attending: S. O'Neill, Solicitor; J. Dunne, HR Manager; and J. McClure, Committee Administrative 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. Appeal Against Dismissal.

The appellant, a former employee of the Directorate of Children and Community, was in attendance and represented by her daughter. C. Douglas, HR Manager, represented the Council.

The Panel heard both parties fully on the case, including evidence from a witness called by the Management representative and, after questions, both parties withdrew.

Councillor Allan, seconded by Councillor Goldie, moved that, although the appropriate procedures had been followed by Human Resources, the appeal be upheld and the appellant be reinstated due to the extenuating circumstances.

By way of Amendment, Councillor Hampton, seconded by Councillor Connolly, moved that the appeal not be upheld.

Two Members voted for the Amendment and two for the Motion. The Chair then exercised his casting vote in favour of the Amendment.

Decided: having heard and considered carefully all the documents and evidence presented, to agree by a majority that the grounds of 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 11.35 a.m.