

## **APPEALS PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 9 May 2024 at 2.00 p.m.

Present: Councillors Ian Cavana (Chair), Iain Campbell, Mary Kilpatrick and Gavin Scott.

Apologies: Councillors Laura Brennan-Whitefield and Duncan Townson.

Attending: W. Wesson, Chief HR Officer; C. McMenamin, Co-ordinator (Legal Services); and J. McClure, Committee Services Lead 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 meetings.**

The minutes of 27 June 2023, 28 June 2023 and 31 January 2024 (issued) were submitted and approved.

### **4. Appeal Against Dismissal**

The appellant, an employee of the Housing Operations and Development Directorate was in attendance and represented by W. Cooper, Unison. M. Alexander, Service Lead – Housing Services represented management.

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

Councillor Campbell, seconded by Councillor Scott, moved that the grounds of the appeal had been established and that the Appeal be upheld.

By way of Amendment, Councillor Cavana, seconded by Councillor Kilpatrick moved that the decision of Management to dismiss the appellant be upheld and, therefore, the appeal was not successful.

On a vote being taken, two Members voted for the Amendment and two for the Motion. The Chair then exercised his casting vote in favour of the Amendment and the Panel, having heard and considered carefully all the documents and evidence presented,

**Decided:** that the decision of Management to dismiss the appellant be upheld and, therefore, the appeal was not successful.

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

The meeting ended at 3.35 p.m.