

Cunninghame House,  
Irvine.

18 April 2016

### **Education Appeal Committee**

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in Medium Finance Meeting Room (2nd Floor), Cunninghame House, Irvine KA12 8EE on **THURSDAY 28 APRIL 2016** at **2.45 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

**1. Declarations of Interest**

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

**2. Minutes**

The accuracy of the Minutes of the previous meeting held on 20 October 2015 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

**3. Appointment of Chairperson**

Appoint Chairperson for the meeting.

**4. Conduct of the Meeting**

Receive advice from the Clerk on the conduct of the meeting.

## **Exempt Information**

### **5. Exclusion of the Public and Press**

Resolve, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Act.

### **6. Appeal Against the Education Authority's Decision to Exclude a Pupil from Irvine Royal Academy**

#### **Non Disclosure of Information**

In terms of Standing Order 17 (Disclosure of Information), the information contained within the following report is confidential information within the meaning of Section 50A of the 1973 Act and shall not be disclosed to any person by any Member or Officer.

#### **6.1 Hearing 1**

Submit report by the Chief Executive on an appeal against the Education Authority's decision to exclude a pupil from Largs Academy (copy enclosed).

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## Education Appeal Committee

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Sederunt:

Ian Clarkson  
Val Gibson  
Jim Smith

Chair:

Attending:

Apologies:

Meeting Ended:



Education Appeal Committee  
20 October 2015

**IRVINE, 20 October 2015** - At a Meeting of the Education Appeal Committee at 2.15 p.m.

**Present**

Ian Clarkson (North Ayrshire Council); and G. Killin and J. Smith (lay members).

**In Attendance**

P. Gosnay, Senior Manager and H. Burns, Head Teacher (Largs Academy) (Education and Youth Employment); N. Shearer, Clerk to the Education Appeal Committee, K. Sharkey, Solicitor and M Anderson, Committee Services Team Leader (Chief Executive's Service)

**Also In Attendance**

Appellant and her representative.

**Chair**

Councillor Clarkson in the Chair.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

**2. Minutes**

The accuracy of the Minutes of the previous meeting held on 28 May 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Appointment of Chairperson**

Councillor Clarkson was appointed to chair this meeting of the Education Appeal Committee.

**4. Conduct of the Meeting**

Submitted guidance note on the conduct of the meeting.

Noted.

## **5. Exclusion of the Public and Press**

The Committee resolved, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Act.

## **6. Appeals Against the Education Authority's Decision to Exclude a Pupil from Largs Academy**

### **6.1 Appellant 1 in respect of Child 1**

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to exclude a pupil from Largs Academy from 16-18 September 2015 (inclusive).

The appellant, having been invited to attend, was present and accompanied by a representative. The Senior Manager (Education and Youth Employment) and Head Teacher of Largs Academy were also in attendance.

Those present were introduced and their role in the proceedings explained. The Chair then outlined the procedures to be followed by the Committee and advised on how the decision of the Committee would be intimated to the appellant and the Education Authority, before inviting the Education and Youth Employment representatives to make their case. The appellant and Committee Members were afforded the opportunity to question the Education and Youth Employment representatives.

The appellant was then invited to present her case. The Education and Youth Employment representatives and the Committee Members had the opportunity to question the appellant.

With the agreement of those present, all parties were able to ask further questions during the proceedings and seek clarification on the points raised.

The Education and Youth Employment representatives and the appellant summed up their cases. Thereafter, both parties withdrew to allow the Committee to deliberate, returning in the first instance to allow the Committee Members to clarify a matter in respect of the procedure followed by Education and Youth Employment in excluding the pupil. Thereafter, the parties again withdrew, returning to hear the Committee's decision.

### **Decision**

The Committee agreed (a) to annul the decision to exclude the pupil from Largs Academy during the period 16-18 September 2015 (inclusive); and (b) that the Clerk notify both parties of the reasons for the Committee's decision within fourteen days.

The Meeting ended at 3.35 p.m.