

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.