

Education Appeal Committee
28 May 2015

IRVINE, 28 May 2015 - At a Meeting of the Education Appeal Committee at 1.00 p.m.

Present

Tom Marshall (North Ayrshire Council); and V. Gibson and E. Milroy (lay members).

In Attendance

H. Meney, Head Teacher (Mayfield Primary School), L. Taylor, Senior Manager (Resources and Infrastructure) and A. Mair, Team Manager (Resources) (Education and Youth Employment); and N. Shearer, Clerk to the Education Appeal Committee (Chief Executive's Service).

Also In Attendance

Appellants in respect of Agenda Items 5.1 and 5.3.

Chair

Councillor Marshall 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 22 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 Marshall 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.

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 Refuse a Placement within Mayfield Primary School, Saltcoats

6.1 Appellant 5 in respect of Child 5

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to refuse a placement within Mayfield Primary School.

The appellant, having been invited to attend, was present and accompanied by her mother. The Head Teacher (Mayfield Primary School), Senior Manager (Resources and Infrastructure) and Team Manager (Resources) (Education and Youth Employment) were also in attendance.

The Chair introduced those present and explained their role in the proceedings. He 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.

The Education and Youth Employment representatives and the appellant summed up their cases. They then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to (a) refuse the appeal on the grounds that it would give rise to significant expenditure on extending or otherwise altering the accommodation or facilities provided in connection with the preferred school; and (b) to note that Education and Youth Employment should make provision in future for it to be made clear when nursery places are awarded that this does not give an automatic entitlement to a place in Primary 1 at the school.

6.2 Appellant 6 in respect of Child 6

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to refuse a placement within Mayfield Primary School.

The appellant, having been invited to attend, was not present. The Head Teacher (Mayfield Primary School), Senior Manager (Resources and Infrastructure) and Team Manager (Resources) (Education and Youth Employment) were also in attendance.

The Committee agreed, in the absence of the appellant, to proceed on the basis of the written submissions from both parties.

The Education and Youth Employment representatives withdrew to allow the Committee to deliberate.

Decision

The Committee unanimously agreed (a) refuse the appeal on the grounds that it would give rise to significant expenditure on extending or otherwise altering the accommodation or facilities provided in connection with the preferred school; and (b) to note that Education and Youth Employment should make provision in future for it to be made clear when nursery places are awarded that this does not give an automatic entitlement to a place in Primary 1 at the school.

6.3 Appellants 7 in respect of Child 7

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to refuse a placement within Mayfield Primary School.

The appellants, having been invited to attend, were present. The Head Teacher (Mayfield Primary School), Senior Manager (Resources and Infrastructure) and Team Manager (Resources) (Education and Youth Employment) were also in attendance.

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

The appellants were then invited to present their case. The Education and Youth Employment representatives and the Committee Members had the opportunity to question the appellants.

The Education and Youth Employment representatives and the appellants summed up their cases. They then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to (a) refuse the appeal on the grounds that it would give rise to significant expenditure on extending or otherwise altering the accommodation or facilities provided in connection with the preferred school; and (b) to note that Education and Youth Employment should make provision in future for it to be made clear when nursery places are awarded that this does not give an automatic entitlement to a place in Primary 1 at the school.

The meeting ended at 3.30 p.m.