



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Education Appeal Committee

A Meeting of the of the Education Appeal Committee of North Ayrshire Council will be held in the **Three Towns Committee Room**, on **30 November 2018** at 10:30 a.m. to consider the undernoted business.

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 meeting of the Education Appeal Committee held on 21 March 2018 2018 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).

Exempt Information

3. Exclusion of the Public

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 indicated in terms of Paragraph 5 of Part 1 of Schedule 7A of the Act.

Non Disclosure of Information

In terms of Standing Order 19 (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.

4. Appeal Against Exclusion

- 4.1** Submit report by the Chief Executive on the background to an appeal against exclusion (copy enclosed).

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Timothy Billings (Chair)
Jim Smith (Lay Representative)
Anne Smyth (Lay Representative)

Chair:

Apologies:

Attending:

Education Appeal Committee
Wednesday 21 March 2018

IRVINE, 21 March 2018 - At a Meeting of the Education Appeal Committee at 2.45 p.m.

Present

Ian Clarkson (North Ayrshire Council); and Jim Smith and Karen Wallace (Lay Members).

In Attendance

P. Gosnay, Senior Manager, A. Allan, Senior Manager and A. Dick, Head Teacher (Garnock Campus) (Education and Youth Employment) and N. Shearer, Clerk to the Education Appeal Committee.

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. Appointment of Chairperson

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

3. Conduct of the Meeting

Submitted guidance note on the conduct of the meeting.

Noted.

4. 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.

5. Appeal Against the Education Authority's Decision to Exclude a Pupil from Garnock Campus (Secondary)

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to exclude a pupil from Garnock Campus (Secondary) on 7 February 2018.

The appellant, having been invited to attend, was present and accompanied by a Youth Worker. Senior Managers (Education and Youth Employment) and the Head Teacher of Garnock Campus (Secondary) were also in attendance.

Those present were introduced and their role in the proceedings explained. The Chair then outlined the procedure 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 Committee Members then had an opportunity to question the appellant.

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

Decision

The Committee agreed (a) to uphold the decision of the Education Authority to exclude the child from school on the grounds that it would be likely to be seriously detrimental to the order and discipline in the school.

The meeting ended at 4.15 p.m.