

ANGUS COUNCIL

EDUCATION COMMITTEE

13 March 1996

Joint Report by Director of Education
and Director of Law and Administration

Report No AC/136/96

FORMATION OF SUB-COMMITTEES OF THE EDUCATION COMMITTEE

RECOMMENDATIONS

It is recommended that:

- i the undernoted Sub-Committees are established:

Education Appeal Committee
School Attendance Sub-Committee
Special Cases Sub-Committee
Teachers' Grievance and Premature Retirement Sub-Committee
Education Records Review Sub-Committee

- ii the remit and composition of each Sub-Committee is as detailed below and the Sub-Committees have full delegated powers

- iii the Committee now appoint members as follows:

School Attendance Sub-Committee	3 members
Special Cases Sub-Committee	3 members
Teachers' Grievance and Premature Retirement Sub-Committee	3 members

BACKGROUND

A number of matters relating to the Council's statutory duties as an education authority can be more appropriately dealt with by a sub-committee than by the full Education Committee. Typically these are matters relating to individual cases which require confidentiality and often the opportunity to discuss directly the circumstances with the individuals concerned. There are also some instances where the appointment of a Sub-Committee is required under statute or regulations.

EDUCATION APPEAL COMMITTEE

Remit

The consideration of appeals by parents against the Council's refusal of requests for places in schools of their choice for their children, or against the decision to exclude their children from school, in accordance with the terms of the Education (Scotland) Act 1980 as amended by the Education (Scotland) Act 1981.

(Note - parents have the right of appeal to the Sheriff within 28 days of the Appeal Committee's decision. The Director of Education does not have the right of appeal)

Composition

In accordance with Schedule A1 to the Education (Scotland) Act 1980, Appeal Committees are required to comprise either three, five or seven members being:

- members of the education authority or of the Education Committee of the authority; and
- persons who are not members of the education authority or of its Education Committee, but are
 - i parents of children of school age; or
 - ii persons who in the opinion of the authority have experience in education; or
 - iii persons who in the opinion of the authority are acquainted with the educational conditions in the area of the authority,

but shall not include any person employed by the authority as Director of Education or as an educational adviser or as an assistant (in any capacity) to such Director or adviser. The schedule further provides that the members of an Appeal Committee who are members of the authority or its Education Committee shall not outnumber the other members of the Committee by more than one.

It is proposed that the Education Appeal Committee consist, therefore, of three members:

- one member of the Education Committee selected on a rota basis
- one person drawn on a rota basis from a list of School Board nominees provided by School Boards from their membership. In this connection

it is recommended that authority be given to the Director of Education and the Director of Law and Administration to ensure that the list is regularly updated.

- one person with experience in education

It is recommended that it would be appropriate for two such persons to be identified, who could attend meetings on a rota basis.

In terms of the statutory provisions, the required quorum for an Appeal Committee is all three members. The legislation stipulates that a person who is a member of the Education Committee shall not be chairman of the Appeal Committee, and it is recommended therefore that in all cases the chairperson of the Committee be the person with experience in education.

SCHOOL ATTENDANCE SUB-COMMITTEE

Remit

The consideration and determination of requests for exemption from School Attendance and cases of School Attendance default under Sections 34 to 53 of the Education (Scotland) Act 1980.

Composition

It is proposed that the composition be:

- two persons drawn from a list of School Board nominees
- three members of the Education Committee

It is further proposed that the quorum be three persons at least one of whom must be a School Board nominee.

SPECIAL CASES SUB-COMMITTEE

Remit

- i the consideration and determination of appeals against decisions of the Director of Education in respect of the early admission of children to primary school education;
- ii the consideration of requests for provision of transport of pupils to schools by reason of special circumstances; and
- iii the consideration and determination of appeals against decisions relating to the granting of bursaries, allowances and other financial aid to assist persons to take advantage of education facilities

Composition

It is proposed that the composition be three members of the Education Committee, with two members forming a quorum.

TEACHERS' GRIEVANCE AND PREMATURE RETIREMENT SUB-COMMITTEE**Remit**

- i the consideration and determination of applications from teachers in educational establishments for premature retirement, or continued employment at the age of 65 years; and
- ii the hearing of grievances raised by teaching staff in accordance with the grievance procedure set out in the scheme of conditions of service of the Scottish Joint Negotiating Committee for day school staff as approved by the Council.

Composition

It is proposed that the composition by three members of the Education Committee, with two members forming a quorum.

EDUCATION RECORDS REVIEW SUB-COMMITTEE**Remit**

The determination of any request for review of any decision made in terms of Regulation 4 (i) or Regulation 10 (i) of the School Pupil Records (Scotland) Regulations 1990.

Composition

It is proposed that the composition be three members of the Education Committee, selected on a rota basis, with two members forming a quorum.

FREQUENCY OF MEETINGS OF SUB-COMMITTEES

It is considered that only the School Attendance Sub-Committee would require regular meetings, with other Sub-Committees being called when necessary.

CONSULTATION

This report has been the subject of consultation with the Chief Executive.

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DIRECTOR OF EDUCATION

CATHERINE A COULL
DIRECTOR OF LAW AND ADMINISTRATION

BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

JAA/CJ

