

EAST RENFREWSHIRE COUNCIL**13 September 2017****Report by Deputy Chief Executive****EDUCATION APPEALS COMMITTEE: AMENDMENT TO THE SCHEME OF
ADMINISTRATION****PURPOSE OF REPORT**

1. To seek approval for an amendment to the Council's Scheme of Administration in relation to the Education Appeals Committee.

RECOMMENDATION

2. Council is asked to approve that the Scheme of Administration be amended for the Education Appeals Committee to include appeals with regards to the Education Scotland Act 2016 in relation to requests for assessment of demand for Gaelic Medium Education.

BACKGROUND AND REPORT

3. The current remit of the Education Appeals Committee as set out in the current Scheme of Administration is:
 1. to determine appeals against decisions in relation to placing and early entry requests;
 2. to determine appeals in respect of procedures for children and young persons with special educational needs;
 3. to determine appeals in respect of any matter arising from the operation of the Council's procedure for bursaries; and
 4. to determine appeals in respect of exclusions and school attendance.
4. Education (Scotland) Act 2016 places a duty on education authorities to promote and support Gaelic Medium Education (GME) and Gaelic Learner Education (GLE) and establishes a process by which parents can request Gaelic Medium Primary Education (GMPE) from their education authority.
5. There is no formal appeal process established by the 2016 Act for appeals against decisions taken by local authorities. Whilst not setting out any specific procedure, the accompanying statutory guidance does however advise that should parents feel the process has not been followed correctly, they can appeal through the authority's own appeals procedures.
6. The June 2017 Education Committee noted the contents and outcome of an initial assessment as set out in a report from the Director of Education. Para 18 of that report indicated that in terms of appeals against decisions made in relation to requests for assessment of demand for GMPE, such appeals would be heard through the Education Appeals Committee and, that any decision made by the Education Appeals Committee would be accepted by the Education Department.

7. As such the Scheme of Administration in relation to the Education Appeals Committee should be amended to include a fifth function:
 5. to determine appeals against decisions made in relation to a parental request for assessment of the need for Gaelic Medium Education as established by the Education (Scotland) Act 2016 and the related statutory guidance.

RECOMMENDATION

8. Council is asked to approve that the Scheme of Administration be amended for the Education Appeals Committee to include appeals with regards to the Education Scotland Act 2016 in relation to requests for assessment of demand for Gaelic Medium Education.

Caroline Innes
Deputy Chief Executive
September 2017

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Background papers
Gaelic Medium Education: Outcome of a Request for an Assessment; Education Committee, June 2017

Local Government Access to information Act 1985