

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Education, Skills and Culture Cabinet Board

14th June, 2018

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

APPOINTMENT OF INDEPENDENT MEMBERS OF EDUCATION APPEAL PANELS

Wards Affected:

All Wards

Purpose of the Report

To comply with The Education (Pupil Exclusions & Appeals) (Maintained Schools) (Wales) Regulations 2003 concerning the appointment of Independent Members of Education Appeals Panels with regards:

- i) Lay Members
- ii) Members who have experience in Education

Background

1. Members will be aware that as a council we have a statutory duty to hold independent appeals panels for both exclusions and admissions as stated in the Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003 which came into force on 9th January 2004.

The Regulations require Local authorities to advertise for Independent Members, to sit on both pupil exclusion and admission appeals panels, every four years. In line with this the Authority has recently advertised via the press for interested parties to express an interest in this role. However, having received a large number of applicants there is a need to set an agreed criteria on the way Members are elected.

2. An appeals panel should consist of three or five members appointed by the Local Authority from:

- i) persons who are eligible to be lay members
- ii) persons who are currently working in education or education management; and
- iii) persons who are or have been governors of maintained schools, provided they have served as a governor for at least 12 consecutive months within the last six years and have not been teachers or head teachers during the last five years.

Selection Criteria

Subject to any observations that Cabinet may have, it is recommended that the selection criteria consists of the four points below, and that delegated powers be given to the Director of Education, or his nominated representative, to undertake the selection process in order to comply with the Regulations.

- i) Local connections and knowledge of the diverse population within Neath Port Talbot County Borough Council.
- ii) Experience of chairing difficult meetings.
- iii) Members who have experience in the field of Education
- iv) Experience or knowledge of legal issues.

Financial Impact

There is no financial impact associated with this proposal.

Equality Impact Assessment

Having considered the Council's screening assessment guidance produced to assist the Council in discharging its Public Sector Equality

Duty under the Equality Act 2010 it has been determined that the proposal within this report does not require an equalities impact assessment.

Workforce Impacts

There are no workforce or staffing issues directly associated with this proposal.

Legal Impacts

The Council is required to have in place independent persons eligible to sit on exclusion and admissions panels in accordance with The Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003.

Risk Management

Should the recommendation to appoint Independent members not be approved then the Council will be in breach of its statutory obligation.

Consultation

There is no requirement under the Constitution for external consultation on the recommendations within this report.

Recommendations

That the selection criteria below along with delegated power to the Director of Education be approved to enable the appointment of both Lay Members and Members who have experience in Education be made:

- i) Local connections and knowledge of the diverse population within Neath Port Talbot County Borough Council.
- ii) Experience of chairing difficult meetings.
- iii) Members who have experience in the field of Education
- iv) Experience or knowledge of legal issues.

Reasons for Proposed Decision

To comply with legislative requirements for the appointment of both Lay Members and Members who have experience in Education.

Implementation of Decision

The decision is proposed for implementation after the three day call in period.

Appendices

None.

List of Background Papers

The Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003

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