

## Minute of Meeting Placing Requests and Exclusions Appeals Panel

Date	Time	Venue
Tuesday, 28 May 2019	10:00	Johnstone Town Hall, Ludovic Square, Johnstone, PA5 8EG

### Present

Councillor Jennifer Adam-McGregor; Councillor Bill Brown; Ms Elaine McNamara

### Chair

Councillor Adam-McGregor, Convener, presided.

### In Attendance

D Briggs, Senior Solicitor (Litigation) and P Shiach, Committee Services Officer (both Finance & Resources).

### Declarations of Interest

There were no declarations of interest intimated prior to the commencement of the meeting.

### EXCLUSION OF PRESS AND PUBLIC

The Appeals Panel resolved that the press and public be excluded from the meeting during consideration of the following item of business as it was likely, in view of the nature of the business to be transacted, that if members of the press and public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

### Order of Business

In terms of Standing Order 16, the Convener intimated that to facilitate the conduct of the meeting, in the absence of the appellant in relation to appeal RP/19/01, that this appeal would be heard last.

## **1 Ralston Primary School - Appeals Against Refusal of Placing Requests RP/19/01; RP/19/02; RP/19/03; RP/19/04 and RP/19/05**

Consideration was given to appeals against the refusal of placing requests at Ralston Primary School.

C Admin, Senior Solicitor (Finance & Resources) and A Gallagher, Operations Manager (Children's Services) both representing the Education Authority, were invited into the meeting together with J McGown, Headteacher. The appellants in relation to appeals RP/19/02, RP/19/03 RP/19/04 and RP/19/05 were invited into the meeting. The Panel was advised that the appellant in relation to appeal RP/19/01 was not in attendance but had asked that the appeal be determined in her absence based on her written submissions. This appeal was considered at item 5 of the Minute of this meeting.

The Senior Solicitor (Litigation) outlined the procedure to be followed in hearing the appeals.

The appellants in relation to appeals RP/19/03, RP/19/04 and RP/19/05 then left the hearing.

The appellants in relation to appeal RP/19/02 then presented their case.

Each side having been given the opportunity to cross examine and sum up, were thanked for their attendance and left the hearing.

**DECIDED:** That one or more of the grounds of refusal specified in Section 28(A)(3) and (3A) of the Education (Scotland) Act 1980 existed and that in all the circumstances, it was appropriate to confirm the Education Authority's decision and that the appeal be not upheld.

## **2 Ralston Primary School - Appeal Against Refusal of a Placing Request - RP/19/03**

Consideration was given to appeal RP/19/03 against the refusal of a placing request to Ralston Primary School.

C Adam, Senior Solicitor (Finance & Resources), A Gallagher, Operations Manager (Children's Services) and J McGown, Headteacher, were invited into the meeting together with the appellants.

The appellants in relation to RP/19/03 then presented their case.

Each side having been given the opportunity to cross examine and sum up, were thanked for their attendance and left the hearing.

**DECIDED:** That one or more of the grounds of refusal specified in Section 28(A)(3) and (3A) of the Education (Scotland) Act 1980 existed and that in all the circumstances, it was appropriate to confirm the Education Authority's decision and that the appeal be not upheld.

### **3 Ralston Primary School - Appeal Against Refusal of a Placing Request - RP/19/04**

Consideration was given to appeal RP/19/04 against the refusal of a placing request to Ralston Primary School.

C Adam, Senior Solicitor (Finance & Resources), A Gallagher, Operations Manager (Children's Services) and J McGown, Headteacher, were invited into the meeting together with the appellants.

The appellants in relation to RP/19/04 then presented their case.

Each side having been given the opportunity to cross examine and sum up, were thanked for their attendance and left the hearing

**DECIDED:** That one or more of the grounds of refusal specified in Section 28(A)(3) and (3A) of the Education (Scotland) Act 1980 existed and that in all the circumstances, it was appropriate to confirm the Education Authority's decision and that the appeal be not upheld.

### **4 Ralston Primary School - Appeal Against Refusal of a Placing Request - RP/19/05**

Consideration was given to appeal RP/19/05 against the refusal of a placing request to Ralston Primary School.

C Adam, Senior Solicitor (Finance & Resources), A Gallagher, Operations Manager (Children's Services) and J McGown, Headteacher, were invited into the meeting together with the appellants.

The appellants in relation to RP/19/05 then presented their case.

Each side having been given the opportunity to cross examine and sum up, were thanked for their attendance and left the hearing.

**DECIDED:** That one or more of the grounds of refusal specified in Section 28(A)(3) and (3A) of the Education (Scotland) Act 1980 existed and that in all the circumstances, it was appropriate to confirm the Education Authority's decision and that the appeal be not upheld.

### **5 Ralston Primary School - Appeal Against Refusal of a Placing Request - RP/19/01**

Consideration was given to appeal RP/19/01 against the refusal of a placing request to Ralston Primary School.

C Adam, Senior Solicitor (Finance & Resources), A Gallagher, Operations Manager (Children's Services) and J McGown, Headteacher, were invited into the meeting.

The Clerk advised that the appellant had requested that the appeal be determined in her absence based on her written submissions. This was agreed.

**DECIDED:** That one or more of the grounds of refusal specified in Section 28(A)(3) and (3A) of the Education (Scotland) Act 1980 existed and that in all the

circumstances, it was appropriate to confirm the Education Authority's decision and that the appeal be not upheld.

**6 Gryffe High School - Appeal Against Refusal of a Placing Request - GH/19/01**

This item is exempt.

**7 Gryffe High School - Appeal Against Refusal of a Placing Request - GH/19/02**

This item is exempt.