

Minute of Meeting Placing Requests and Exclusions Appeals Panel

Date	Time	Venue
Tuesday, 26 April 2022	10:30	Microsoft TEAMS platform,

Present: Councillor Jennifer Marion Adam-McGregor, Councillor Bill Binks, Ms Elaine McNamara

Chair

Councillor Adam-McGregor, Convener, presided.

In Attendance

D Briggs, Senior Solicitor (Litigation & Advice) and R Devine, Senior 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 items 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.

1 **St Andrew's Academy - Appeal against Refusal of a Placing Request**

Consideration was given to an appeal against the refusal of a placing request at St Andrew's Academy.

The participants had been invited to attend virtually via the Microsoft Teams platform. E Clements Senior Solicitor (Litigation & Advice), (Finance & Resources), S Gorman, Resource Support Manager (Children's Services) both representing the Education Authority, were invited to attend the meeting. The appellant had also been invited to the meeting, however there was no appearance by or on behalf of the appellant. The Convener proposed that the appeal be considered in the appellant's absence based on her written submission. This was agreed unanimously.

D Briggs Senior Solicitor (Litigation & Advice) outlined the procedure to be followed in hearing the appeal.

E Cements Senior Solicitor (Litigation & Advice) then presented the case for the Education Authority and led evidence from S Gorman in relation to the circumstances surrounding the refusal of the placing request.

Sederunt

E Knox lost connection to the meeting.

Adjournment

As E Knox had lost connection to the meeting and a quorum was no longer present the Convener proposed that the meeting be adjourned until 11:45.

The meeting re-convened at 11:45 with all members of the Panel present.

E Cements Senior Solicitor (Litigation & Advice) resumed presenting the case for the Education Authority and led evidence from S Gorman in relation to the circumstances surrounding the refusal of the placing request.

Having been given the opportunity to sum up, the representatives of the Education Authority were thanked for their attendance and left the hearing.

The Panel considered the grounds of the appeal as detailed within the appellant's written submission.

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.