

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 10 JANUARY 2012.

Present – Councillors Peter Johnston (Chair), Andrew Miller, Frank Anderson, John Cochrane, Martyn Day, Robert De Bold, Lawrence Fitzpatrick, Ellen Glass, Danny Logue, Jim Walker

Absent – Councillors William Boyle, Isabel Hutton

In Attendance – Elsie Aitken, John Hendrie, Myra MacPherson and Eric Lumsden

The Chair opened the meeting by welcoming Eric Lumsden, Parent Council Representative, to the Education Executive.

1. DECLARATIONS OF INTEREST

Councillor Johnston declared a non-financial interest as a member of the EIS Council.

2. MINUTE

The Education Executive confirmed the Minute of its meeting held on 15th November 2011 as being a correct record.

3. RESPONSE ON BEHALF OF WEST LoTHIAN COUNCIL TO THE COMMISSION ON RURAL EDUCATION CALL FOR EVIDENCE

The Education Executive considered a report (copies of which had been circulated) by the Depute Chief Executive Education, Planning and Area Services, providing details of the response to the Commission on Rural Education Call for Evidence from the Scottish Government. The appendix to the report provided details of the response from West Lothian Council, which was due to be submitted by 30th January 2012.

The Education Executive was advised that due to the consultation response deadline being 30th January 2012 it had not been possible to submit the report to the Education PDSP in time to obtain approval of the proposed response. It was noted, however, that PDSP members had received the report and the response from West Lothian Council for consideration and comment.

The report advised that West Lothian was located in an area of both urban and rural populations. It was noted that none of the rural populations could be considered as remote and were classed as Accessible Rural under the Scottish Government's "Urban Rural Classification". The Call for Evidence covered the following areas:

- Maximising attainment and achievement in rural schools and the impact of Curriculum for Excellence and Getting it Right for Every Child (GIRFEC);
- The educational benefits of rural schools;
- The viability and sustainability of rural education;
- The definition of a rural school for the purposes of the Schools (Consultation) (Scotland) Act (2010). This categorised rural schools as Accessible Rural, Remote Rural and Very Remote Rural;
- The consultation process as set out in the Schools (Consultation) (Scotland) Act (2010);
- The requirement to involve Her Majesty's Inspectorate of Education in preparing and submitting to the council a professional and independent report on the educational aspects of the proposal being consulted on;
- The powers of Scottish Ministers to "call in" or review a Council's decision to close a school;
- The requirement for Best Value, especially related to asset provision; and
- The links between rural education and the preservation, support and development of rural communities.

The Depute Chief Executive Education, Planning and Area Services recommended that an amendment be made to the response on Page 5; Q9 (b) and (c) by inserting the word 'broad' before 'national guidance' as it was felt that this would highlight the different circumstances within each authority throughout Scotland.

Decision

1. To note the contents of the report and the response to the consultation appended to the report for submission to the Scottish Government;
2. To approve the response to the Commission on Rural Education Call for Evidence subject to the amendment to Page 5; Q9 (b) and (c) by inserting the word 'broad' before 'national guidance' to highlight the difference in circumstances within each authority throughout Scotland.

4. SECOND TEACHING STAFF REPRESENTATIVE ON EDUCATION EXECUTIVE

The Education Executive considered a report (copies of which had been circulated) by the Depute Chief Executive (Education, Planning and Area Services) providing details on the legislation in relation to appointing a

second representative from the council's teaching staff to the Education Executive.

The report advised that the council had a statutory duty to appoint three religious representatives to any committee dealing with its education function. The council also had the statutory power to appoint other non-elected members to the committee. Appointed members had the right to sit on the Education Executive and to have full rights of participation, including voting.

The existing council policy was to appoint one teacher and one representative of parents nominated by West Lothian Parent Councils Forum. Members were also allowed to participate in certain meetings of other council bodies, such as the Education PDSP, Joint Consultative Group (Teaching Staff), and Employee Appeals Committee.

At a meeting of the Education Executive on 15th November 2011 it was suggested by the current representative of the council's teaching staff that council consider appointing a second representative from the teaching staff in West Lothian to allow a representative from the primary sector as well as the secondary sector. The report highlighted that it was legally competent for the council to appoint as many non-councillor members to its Education committee subject to the proviso that at least 50% of the members of the committee be elected members. The Education Executive was happy to refer the suggestion to the Education PDSP for consideration.

At a meeting of the Education PDSP on 22nd November 2011, the members agreed with the recommendation that an additional educational representative be appointed, one for the Primary/Early Years and one for Secondary/Special Education sectors with all qualifying teaching staff voting for both representatives. This was also reported as being the views expressed by the LNCT in separate discussions. Consideration was also given to the voting system to be adopted and it was a majority recommendation that 'first past the post' system be implemented.

In conclusion, consideration of the request for a second representative of teaching staff on the Education Executive should be made with the recommendations being reported to full council if an additional appointment was agreed. Standing Orders would have to be amended accordingly with the necessary arrangements being made prior to the local government election in May 2012.

Decision

1. To note the contents of the report;
2. To agree to appoint a second representative on the Education Executive of the council's teaching staff after election process;
3. To agree that 'first past the post' voting system should be implemented and that all qualifying teaching staff should be eligible to vote for both representatives; and

4. To agree to forward the report to the next meeting of full council.