

LEARNING AND FAMILIES COMMITTEE

Membership

The Learning and Families Committee consist of fifteen members of the Council, and in addition, seven persons who are not members of the Council, being –

- *1. Three persons representative of church interests, all in a non-voting capacity, appointed in terms of Section 124 of the 1973 Act.
- *2. Two teachers employed in educational establishments under the management of the Council, both in a non-voting capacity, nominated in such manner as may be determined by the Council.
- *3. One parent representative from Secondary Parent Councils and one parent representative from Primary Parent Councils, both in a non-voting capacity, nominated in such manner as may be determined by the Council.

*The non-Council members being entitled to participate in a non-voting capacity on business being considered by the Committee which is deemed to be –

- (i) advising the authority on any matter relating to the discharge of their functions as education authority; or
- (ii) discharging any of those functions of the authority on their behalf.

Terms of Reference

Specific

Schools Education

To exercise the functions of the Council as Education Authority in terms of the following Acts and all related subordinate legislation:-

Children and Young Persons (Scotland) Act 1937
Children (Scotland) Act 1995
Education (Additional Support for Learning) (Scotland) Act 2004
Education (Scotland) Act 1980
Education (Scotland) Act 2016
Equality Act 2010
Road Traffic Regulation Act 1984
Scottish Schools (Parental Involvement) Act 2006
Standards in Scotland's Schools etc. Act 2000

Early Years Services

To determine and implement the Council's policy in relation to Early Years Services.

To enter into partnerships on behalf of the Council to ensure the provision of quality Early Years Services.

Children's Services

To exercise the functions of the Council as Social Work Authority in relation to child care in terms of the following Acts and all related subordinate legislation:-

Adoption and Children (Scotland) Act 2007
Adoption (Intercountry Aspects) Act 1999
Adults with Incapacity (Scotland) Act 2000
Anti-Social Behaviour etc. (Scotland) Act 2004
Carers (Recognition and Services) Act 1995
Children (Scotland) Act 1995
Carers (Scotland) Act 2016
Children Act 1975
Children and Young People (Scotland) Act 2014
Children and Young Persons (Scotland) Act 1937
Children's Hearings (Scotland) Act 2011
Chronically Sick and Disabled Persons Act 1970
Chronically Sick and Disabled Persons Act 1972
Community Care (Direct Payments) Act 1996
Disabled Persons (Services, Consultation and Representation) Act 1986
Education (Additional Support for Learning) (Scotland) Act 2004
Equality Act 2010
Foster Children (Scotland) Act 1984
Immigration and Asylum Act 1999
Mental Health (Care and Treatment) (Scotland) Act 2003
Nationality, Immigration and Asylum Act 2002
Protection of Children (Scotland) Act 2003
Protection of Vulnerable Groups (Scotland) Act 2007
Public Services Reform (Scotland) Act 2010
Self Directed Support (Scotland) Act 2013
Social Work (Scotland) Act 1968

Community Learning and Development

To determine and oversee the implementation of the Council's policy in relation to Community Learning and Development.

Consideration of Petitions

The consideration of petitions submitted to the Council in accordance with the Council's petitions procedure and determination of the appropriate action to be taken within the terms of the procedure.

Sub-Committees

The Committee shall appoint the following Sub-Committees:

1. Executive Sub-Committee

Membership

Comprising five members of the Council who are members of the Committee and three non-Council members from the Committee when considering educational matters.

Terms of Reference

To decide any matter which would normally be decided by the Committee, but which, by reason of urgency, requires to be decided prior to the next scheduled meeting of the Committee.

To consider reports by both Education Scotland and Education and Children's Services on individual school performance, pre-school partner providers and community learning, including general aspects of education provision, learning and teaching, the curriculum, and care and welfare;

To consider Care Inspectorate reports in relation to services to children and young people; care home services; fostering and adoption services; support services; housing support; and, by exception, on the day care of children, where Perth and Kinross Council is the registered provider and including partner providers.

2. Attendance Sub-Committee

Comprising three members of the Council, not being the Convener or a Vice-Convener of the Committee, and one non-Council member.

Terms of Reference

To discharge the functions of the Council under Sections 34-43 of the Education (Scotland) Act 1980 (except the appointment of a person to institute proceedings in terms of Section 43(2)), being the consideration and determination of requests for exemption from school attendance and cases of school attendance default, as referred to the Sub-Committee by the Executive Director (Education and Children's Services).

3. Review Sub-Committee

Comprising three members of the Council, not being the Convener or a Vice-Convener of the Committee, and two non-Council members.

Terms of Reference

To consider and decide upon:-

- a. Requests for review of decisions made in terms of Regulation 4(1) or Regulation 10(1) of the School Pupil Records (Scotland) Regulations 1990.

- b. Applications for bursaries, allowances and other financial aid to assist persons to take advantage of educational facilities.
- c. Appeals on safety grounds against the refusal or the withdrawal of education transport.
- d. Appeals against decisions of the Executive Director (Education and Children's Services) in respect of the early admission of children to primary school education.

4. Education Appeal Committee

In terms of Section 28D of the Education (Scotland) Act 1980 and in accordance with Schedule A1 to that Act, the Council shall appoint an Education Appeal Committee.

Constitution

The Committee comprises elected members who are members of the Lifelong Learning Committee, parents of children currently of school age nominated by either Parent Councils or Parent Forums, and persons from the Perth and Kinross area who have experience in education or are acquainted with the educational conditions in the area.

Any sitting of the Committee will consist of 3 persons, no more than 2 of whom may be elected members. An elected member cannot be the Convener.

Terms of Reference

To Consider:

- a) In terms of the Education (Scotland) Act 1980 as amended, appeals against decisions of the Education Authority:-
 - to refuse requests for places in schools;
 - to exclude a pupil from school; and
- b) In terms of the Education (Additional Support for Learning) (Scotland) Act 2004 as amended, appeals against decisions of the Education Authority to refuse requests for pupils with additional support needs to attend mainstream schools.

The Committee may either confirm or refuse to confirm the decision of the Education Authority. If the Committee refuses to confirm a decision, the Education Authority must give effect to the Committee's decision.