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**REPORT TO: MORAY COUNCIL ON 2 OCTOBER 2019**

**SUBJECT: EDUCATIONAL SERVICES GRIEVANCE AND DISCIPLINARY APPEALS SUB-COMMITTEE**

**BY: CORPORATE DIRECTOR (CORPORATE SERVICES)**

**1. REASON FOR REPORT**

- 1.1 To inform the Council of the requirement for the re-constitution of the Education Grievance and Disciplinary Appeals Sub-Committee and to agree the membership.
- 1.2 This report is submitted to Committee in terms of Section II (11) of the Council's Scheme of Administration relating to the appointment of Committees and the appointment of Chair and Depute Chair thereof.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Council agree:-
- i) to the re-constitution of the Educational Services Grievance and Disciplinary Appeals Sub-Committee; and
  - ii) the membership of the sub-committee will align with the membership of the Council's Appeals Committee as an interim measure until composition of the sub-committee is agreed with the LNCT.

**3. BACKGROUND**

- 3.1 At the meeting of the Education and Social Services Committee on 23 May 2007, (paragraph 6 of the minute refers) appointments were made to the Educational Services Grievance and Disciplinary Appeal Sub-Committee.
- 3.2 At the meeting of Moray Council on 9 May 2012, (paragraph 4 of the minute refers) no appointments to the sub-committee were requested. There was also no request made at the meeting of Moray Council on 24 May 2017.
- 3.3 Until now, there has been no requirement for the sub-committee to meet as there have been no appeals received. Following a number of disciplinary hearings, 2 appeals have now been received and the re-constitution of the sub-committee is now required.

- 3.4 The proposals in this report have been agreed as an interim measure in order that two outstanding appeals can be progressed. Longer term the Local Negotiating Committee for Teachers (LNCT) will have to discuss and agree the composition of the Educational Services Grievance and Appeals Sub-Committee.

#### **4. PROPOSALS**

- 4.1 Following discussions with the joint secretaries of the LNCT, who have delegated powers to agree the make-up of the Sub-Committee, there has been agreement for the Members of the Council's Appeals Committee to sit on the Educational Services Grievance and Appeals Sub-Committee.

#### **5. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

No direct implications.

**(b) Policy and Legal**

The Council is required to convene an Educational Services Grievance and Disciplinary Appeal Sub-Committee to consider the outstanding appeals.

**(c) Financial Implications**

There are no financial implications associated with this report.

**(d) Risk Implications**

There are no risk implications associated with this report.

**(e) Staffing Implications**

Convening this sub-committee will allow staffing appeals to be progressed.

**(f) Property**

There are no staffing implications associated with this report.

**(g) Equalities/Socio Economic Impact**

None.

**(h) Consultations**

Consultations have been carried out with the Head of Schools and Curriculum Development, HR Manager, the joint secretaries of the Local National Committee for Teachers (Lynsey Stanley and Susan Slater), Sean Hoath, Senior Solicitor and Tracey Sutherland, Committee Services Officer.

#### **5. CONCLUSION**

- 5.1 Council agree to the re-constitution of the Educational Appeals and Grievance Sub - Committee.**

Author of Report: Alasdair McEachan, Head of Legal and Democratic Services

Background Papers:

Ref: