

## Education Appointment Committee - Report by Director, Resources

### 1 Purpose of Report

The purpose of this report is, as requested by the Council on 26 June 2018, to provide options with regard to recommendations made by the Education Appointments Committee. The report also provides the Council with an additional option relating to a change to the remit of the Education Appointment Committee.

### 2 Background

Currently, the Scheme of Administration with regards to the Education Appointment Committee, as appended to the Council's Standing Orders states:

*"The Minutes of the Committee will be submitted to the next meeting of the Cabinet. Persons recommended for appointment by the Committee shall be appointed by the Cabinet, unless it appears to them that the candidate is not eligible for the post, in which case they may refuse to appoint them. Where the Cabinet refuse to appoint a recommended candidate and it is still intended to fill the post, then the post will be re-advertised and the necessary procedures followed afresh".*

However, on a frequent basis, following upon a meeting of the Education Appointment Committee and a recommendation being made, there is a need to formally approve the appointment as soon as practicably possible without having to wait until the next scheduled meeting of the Cabinet.

This issue has become more frequent in recent years due the national shortage of Senior Educational staff and them having to wait until next Cabinet before appointment can be confirmed. This could result in candidates being offered posts in other authorities in the interim period and also the Parent Council members cannot let the school know that there is a preferred candidate until after ratification by the next Cabinet meeting.

The Options available to the Council are as follows:-

**Option 1** – where an appointment is deemed urgent by the Director, Education, Communities and Economy and there is a need to formally approve the appointment as soon as practicably possible without having to wait until the next scheduled meeting of the Cabinet:-

Standing Orders insofar as they relate to the remit of the Education Appointment Committee as described above, be suspended and delegated authority is given to the Chief Executive and/or Director, Resources, in consultation with the Leader of the Council and the Director, Education, Communities and Economy to consider the

recommendation of the Committee and to make the appointment. An appointment made on this basis, shall by way of a report by the Director, Education, Communities and Economy, be submitted to the next possible meeting of the Cabinet for information purposes and shall have as an appendix a copy of the Minute of the Education Appointment Committee where the recommendation was made. The report shall include (i) the reason why the Director determined the appointment to be urgent; (ii) the date the delegated decision was made and (iii) the persons who made the decision.

**Option 2** – in respect of all appointments by the Education Appointment Committee and by way of a change to the Scheme of Administration relating to the Education Appointment Committee –

Current remit –

*“The Education Appointment Committee will be responsible for conducting interviews for Headteachers and other senior teaching appointments and will make recommendations to the Cabinet regarding these. The Committee’s procedures associated with the appointment process will comply with Section 14 of the Scottish Schools (Parental Involvement) Act 2006 and Scottish Statutory Instrument 2007 No. 132 – Education”.*

Proposed remit –

The Education Appointment Committee will be responsible for conducting interviews and making appointments for Headteachers and other senior teaching positions. The Committee’s procedures associated with the appointment process will comply with Section 14 of the Scottish Schools (Parental Involvement) Act 2006 and Scottish Statutory Instrument 2007 No. 132 – Education.

The Minutes of the Committee will be submitted to the next meeting of the Cabinet for information purposes.

### **3 Report Implications**

#### **3.1 Resource**

There may be a small resource implication arising from this report with regard to Option 1 above insofar as the Director, Education, Communities and Economy, will require to have a procedure in place whereby appointments which are urgent are dealt with by way of these delegated powers and reported to the next possible meeting of the Cabinet.

#### **3.2 Risk**

There could be operational risk if the decision to formally approve an appointment which is deemed urgent by the Director, Education, Communities and Economy is delayed.

#### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

**3.4 Key Priorities within the Single Midlothian Plan**

Not Applicable

**3.5 Impact on Performance and Outcomes**

Not Applicable

**3.6 Adopting a Preventative Approach**

Not Applicable

**3.7 Involving Communities and Other Stakeholders**

Not Applicable

**3.8 Ensuring Equalities**

Not Applicable

**3.9 Supporting Sustainable Development**

Not Applicable

**3.10 IT Issues**

Not Applicable

**4 Recommendations**

Council is requested to consider the Options outlined at Section 2 above.

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