

Meeting of the Full Council
Meeting to be held on 25 February 2010

Report submitted by the County Secretary and Solicitor

Part A - Item No. 7

Electoral Division affected:
All

A Committee to hear Student Support Appeals

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Executive Summary

Arrangements to provide for the determination of appeals against decisions as to home to school/college transport, awards, grants and welfare benefits and as to the approval or otherwise to the writing off of over-payments, debts of awards/grants.

Recommendation

1. To constitute a committee of the Full Council to operate from 1 May 2010 comprising four county councillors with the terms of reference set out in this report and to be known as the Student Support Appeals Committee
2. To disestablish the officer panel formerly constituted to perform the same functions from 30 April 2010.

Background and Advice

As a part of its functions as an education authority, the county council determines the entitlement of school and college pupils to assistance with transport, and to certain awards, grants and welfare benefits. Questions may also arise as to whether any over-payment, or debt in relation to these matters should be pursued or written off. Prior to the institution of cabinet government in local authorities, these matters were dealt with by the former School and College Transport and Awards Appeals Sub-Committee.

In the early days of the new constitution, indications from central government were that councillors should not exercise functions of this nature and this led to an officer panel being constituted for these functions. However, it has now been clarified that there is no legal impediment to the involvement of members in these appeals. Also, concerns have arisen in that some of the officers involved are a part of the same management structure as those officers taking the initial decisions and the cabinet member for children and schools has requested that these matters are now determined by a committee of the county council.

It is proposed that the committee comprises four members, politically balanced. Full Council is therefore requested to set up a Student Support Appeals Committee with this composition from 1 May 2010. The existing officer body would continue to meet to deal with the appeals until that date but would then be disbanded. The interim period would be utilised to provide appropriate training to those councillors who are to be involved. It will be necessary for the committee to meet roughly once every month and it will agree its own timetable of meetings

The terms of reference of the committee would be as follows:

1. To consider, with power to act, appeals against decisions of the county council concerning home to school/college transport.
2. To consider, with power to act, appeals against decisions of the county council relating to awards, grants and welfare benefits.
3. To approve the writing off of over-payments/debts of awards grants.

In reaching decisions on these matters, the Panel will have regard to the relevant county council policies and any guidance issued by the county council and will consider any written representations provided by Appellants.

Consultations

Staff of the Directorate for Children and Young People

Implications:

This item has the following implications, as indicated:

Risk management

The provision of an independent appeal process for these matters contributes to the effectiveness of the decision-making process and its validity in the eyes of the public.

Legal Implications

These are set out in the report and under Risk Management above.

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate
N/A