

THE VALE OF GLAMORGAN COUNCIL

**REQUEST FOR THE USE OF EMERGENCY POWERS –
CORONAVIRUS PANDEMIC**

SUBJECT: SCHOOL EXCLUSION APPEAL PROCEDURE

1. **Originating / Department / Service –**

Democratic Services/Learning and Skills

2. **Reason for Seeking Emergency Powers –**

PLEASE SPECIFY BELOW ~~and attach appropriate Committee report/
minute/memo~~ ^{*} (~~* delete as appropriate~~)

To seek approval to implement the Council's alternative Procedure (as adopted by the Independent Appeal Panel) and Guidance for School Exclusion Appeal Panels during Covid-19 in accordance with the requirements of **Welsh Government Guidance Document - no: 255/2019 Exclusion from schools and pupil referral units** and for this procedure to be followed for Exclusion hearings undertaken during the period of the restrictions in place during the pandemic rather than the existing procedure set out in the Council's Constitution. Where the proposed Procedure conflicts with provisions in the Council's Constitution the proposed Procedure is to take precedence.

For the avoidance of doubt this Procedure shall apply until 30th April 2021 unless withdrawn earlier pursuant to an amendment to WG's statutory guidance on the Procedure relating to Exclusion from schools and pupil referral units and/or MD Emergency Powers.

3. **Policy Framework and Budget –**

PLEASE INDICATE as appropriate that the matter that you are seeking the use of Emergency Powers for is a Cabinet or Council function.

Cabinet

Council

4. **Relevant Scrutiny Committee –**

Learning and Culture

IMPORTANT

The following sections **must** be completed **prior** to the request being submitted to the Democratic and Scrutiny Services Section for processing.

I confirm (delete as appropriate)

(a) That there are no financial implications and the relevant Cabinet Member, Leader and / or the Deputy Leader has been consulted and is in agreement with the use of Emergency Powers; or

~~(b) That, in view of the financial commitments, the Head of Financial Services, the appropriate Chief Officer, the relevant Cabinet Member, Leader and / or Deputy Leader have been consulted and are in agreement with the use of the Emergency Powers and that~~

~~(c) For matters relating to the Planning Committee the Chairman of the Planning Committee has also been consulted and is in agreement with the use of Emergency Powers;~~

~~(d) For matters relating to the Licensing Committee the Chairman of the Licensing Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(e) For matters relating to the Welsh Church Act Estate Committee the Chairman of the Welsh Church Act Estate Committee has also been consulted and is in agreement with the use of Emergency Powers.~~

~~(f) For matters relating to policy the relevant Scrutiny Committee Chairman has been consulted and is in agreement with the use of Emergency Powers.~~

Signed: V. Davidson
(Instructing Chief Officer)

Date:15.06.2020.....

Please print name: ...VICTORIA DAVIDSON

I hereby approve under my Emergency Powers the attached recommendation(s) on behalf of the Cabinet / Council (please delete as appropriate).

Signed: .D.R. Thomas.....
Managing Director

Date: 4th July 2020.....

NB Should the relevant portfolio Cabinet Member be unable to be consulted only the Leader and / or Deputy Leader be consulted in their absence.

N.B. Cabinet: 23rd March, 2020 Minute No. 295