

NORTH LINCOLNSHIRE COUNCIL

**CHILDREN'S SERVICES
CABINET MEMBER**

APPOINTMENT OF EDUCATION APPEALS PANEL MEMBERS

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To appoint independent members to the Education Appeal Panel to hear appeals in respect of school admissions, exclusions and reinstatements for North Lincolnshire Council maintained schools and upon request from Academies.

1.2 The key point in this report is as follows –

Under Section 94 of the School Standards and Framework Act 1998, responsibility for making arrangements for appeals against the refusal of a school place rests with the admission authority of the school

2. BACKGROUND INFORMATION

2.1 Parents are entitled to express a preference for the school they would like their child to attend.

2.2 Parents can appeal to an independent Panel if they are refused a place they want or are dissatisfied with the place offered by the Local Authority.

2.3 Parents can also appeal against any decision of the governing body under the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 not to reinstate a pupil who has been permanently excluded from a school maintained by the council.

2.4 Admission Appeals Panels consist of three or five members, including at least one "education expert" and at least one "lay member". This is in accordance with the School Standards and Framework Act 1998 (SSFA 1998).

- 2.5 Councils have a duty to advertise for such members and must consider appointing appeal panels persons who have responded to such advertisements.
- 2.6 The Schools Admissions (Appeal Arrangements) (England) Regulations 2012 Regulation 5 (paragraph 1) explains that an appeal panel must consist of a minimum of three members appointed by the relevant local authority or governing body from –
- Persons who are eligible to be lay members, and
 - Persons who have experience in education, are acquainted with educational conditions in the area of the authority or are parents of registered pupils at school.
- 2.7 The Schools Admissions (Appeal Arrangements) (England) Regulations 2012 disqualify certain people from membership of an appeal panel. A person is disqualified if they are:
- A member of the local authority which is the admission authority or in whose area the school in question is located;
 - A member or former member of the governing body of the school in question;
 - Employed by the local authority or governing body of the school in question, other than as a teacher or teaching assistant;
 - Any person who has, or at any time has had, any connection with the authority;
 - Any person who has not attended training required by the admission authority arranging the appeal panel.
- 2.8 The existing small pool of volunteer members is now very experienced. Due to the ever changing demographics of the area, the number of appeals is on the increase. This can cause problems in dealing with appeals within the required timescales, especially if one or more members have an interest arising from their involvement in one of the schools concerned.
- 2.9 Appeals need to be heard within certain timescales and with the availability/eligibility of panel members sometimes being limited it was considered desirable to extend the number of available panel members. Accordingly the Director of Policy and Resources placed an advertisement through social media (Facebook and Twitter), front page of the council's website and with local and regional media.
- 2.10 All potential applicants are required to complete an application form identifying the skills they currently hold and the contribution they can make to the panel. Five applications were received. Interviews were held with all five of the applicants. All five interviewees met the requirements and were considered to be able to bring valuable knowledge and experience to the pool of panel members.

3. OPTIONS FOR CONSIDERATION

Option One

- 3.1 Accordingly, the Cabinet Member may wish to consider formally appointing the five applicants.
- 3.2 It is a requirement that all panel members receive training every three years to ensure that they are full conversant with any new legislation that may have been introduced and are refreshed on all aspects of education appeals. A training session has been arranged for all panel members on 16 June 2015 and it is intended that the new applicants attend, meet the existing panel members and then be invited, one at a time, to sit, initially as observers, on a panel.
- 3.3 It would be helpful for new members to be available as soon as possible to enable them to sit in time to consider appeals made by parents for the September 2015 intake, when there may be a large number of appeals to hear.

Option Two

- 3.4 To not appoint would put an increasing demand on the existing panel members and result in delays in appeals being heard.

4. ANALYSIS OF OPTIONS

- 4.1 To appoint would reduce the demand on existing panel members and ensure appeals are heard in accordance with statutory guidance.
- 4.2 To not appoint may result in timescales not always being met due to limited availability.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 Financial
 - 5.1.1 There are no financial implications arising from this report.
- 5.2 Staffing
 - 5.2.1 There are no staffing implications arising from this report.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 Not applicable.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 The council advertised for new lay members in the local and regional media and also through social media.

7.2 Five applications were received in response to the advertisement.

8. RECOMMENDATIONS

8.2 To appoint the applicants with a view to new members receiving training on 16 June 2015 and being gradually introduced onto panels as outlined above.

DIRECTOR OF POLICY AND RESOURCES

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Background Papers used in the preparation of this report -

School Standards and Framework Act 1998
School Admission Appeals Code of Practice
School Admissions (Appeals Arrangements) (England) Regulations 2012