

NORTH LINCOLNSHIRE COUNCIL

CHILDREN, FAMILIES, LEARNING AND LEISURE CABINET MEMBER

APPOINTMENT OF EDUCATION APPEALS PANEL MEMBERS

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To appoint independent members who may be called to sit on either the Education Admission Appeals Panel or Independent Review Panel to hear appeals in respect of school admissions and exclusions.

1.2 The key point in this report is as follows –

The North Lincolnshire Appeals Panel comprises members who also sit on similar neighbouring panels and in consultation with the secretariat, members have encouraged colleagues from neighbouring panels to apply to be part of the panel.

In addition the secretariat also proactively encourages panel members to engage with individuals who they believe may also be suitable for the panel. An application has been received via this route.

2. BACKGROUND INFORMATION

2.1 North Lincolnshire Council is the admissions authority for community and voluntary controlled schools and are responsible for ensuring compliance with the Department for Education (DFE) Schools Admissions Code. The Code covers the arrangements for appeals made against refusal of a place at a school. Appeals are heard by an Independent Appeals Panel, which consist of three or five members, including at least one "education expert" and at least one "lay member"

2.2 The Local Authority is also required, in line with the DFE Exclusions from Maintained Schools, Academies and Pupil Referral Units in England statutory guidance, to arrange an independent review panel hearing in response to a parent request following a permanent exclusion of their child from school.

2.3 The council make arrangements for Education Admission Appeals Panel and Independent Review Panel hearings on behalf of maintained schools and provide this service to Academy schools under a Service Level Agreement.

- 2.4 The existing pool of panel members is very experienced and is relatively small in the context of recent demand for panel hearings. In order to ensure that appeals can be heard within the required timescales and that there is a sufficient balance of representation amongst panel members, the council has recently undertaken a recruitment drive seeking new members.
- 2.5 The Cabinet Member recently appointed two new members (minute 68 refers). A further application has now been received.

3. OPTIONS FOR CONSIDERATION

- 3.1 To appoint the new member to the panels, as outlined in Appendix 1.
- 3.2 To not appoint the new member to the panels.

4. ANALYSIS OF OPTIONS

- 4.1 The appointments are in line with the requirements of the Education (Lay Members of Appeals Committees) Regulations 1994 and School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- 4.2 The legislation states that all panel members must be trained on the respective codes every two years. The relevant Cabinet Member last appointed panel members on 3 May 2018. Following appointment members will be invited to attend a training session. As part of the induction for new members, arrangements will be made for them to sit as observers on a panel.
- 4.3 Not appointing the new members to the panels would lead to a smaller pool of panel members and therefore may cause difficulty with availability.

5. RESOURCE AND OTHER IMPLICATIONS

5.1 Financial

5.1.1 There are no financial implications arising from this report. Panel members are not remunerated for the role, where applicable expenses for travel or loss of earnings are met from existing budgets.

5.1.2 Training sessions, to comply with the legal requirement to train panel members will be met from existing budgets.

5.1.3 The service is provided to local academies in accordance with the council's Services to Schools service level agreements.

5.2 Staffing

5.2.1 There are no staffing implications arising from this report.

5.3 Statutory

5.3.1 Admission authorities responsible for making arrangements for appeals must advertise for lay members under regulations made by the Secretary of State (The Education (Lay Members of Appeals Committees) Regulations 1994) and must consider appointing to appeal panels persons who have responded to such advertisements.

5.4 Environmental and Other

5.4.1 There are no environmental or other implications arising from this report.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT

6.1 N/A

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

7.1 In addition to panel members encouraging colleagues to submit applications when serving as a panel member for neighbouring authorities, panel members and the secretariat also proactively encourage panel members to engage with individuals who they believe may also be suitable for the panel.

7.2 Subsequently, an application was received following conversations with existing panel members. The application was cross-referenced with the published role profile to determine the applicants' experience and suitability.

8. RECOMMENDATIONS

8.1 To appoint the applicant, as set out in Appendix 1, with a view to the new member receiving training and being gradually introduced onto panels during 2018.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

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Background Papers used in the preparation of this report:

School Admissions Code

School Admission Appeals Code of Practice

Exclusion from maintain schools, academies and pupil referral units in England
September 2017

School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

The Education (Lay Members of Appeals Committees) Regulations 1994

Appendix 1

New applicant to be appointed to the Education Appeals Panel:

- Pauline Smith