

Corporate Policy Committee

Date of Meeting:	9 th February 2023
Report Title:	Appointment of New Member to the Independent School Admission Appeals Panel
Report of:	David Brown, Director of Governance and Compliance
Report Reference No:	CP/64/22-23
Ward(s) Affected:	All Wards

1. Purpose of Report

- 1.1. This report invites the Committee to consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel.

2. Executive Summary

- 2.1 To consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel.

3. Recommendations

- 3.1. That the Committee approve the appointment of one individual to become a member of the Independent School Admission Appeals Panel.

4. Reasons for Recommendations

- 4.1. Under s94 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. The Local Authority is the admission authority of a number of schools in Cheshire East. The Local Authority also arranges appeals for other admission authorities under Cheshire East School Services (ChESS). Where the Local Authority is the admission authority, it must ensure that there are sufficient people appointed

to sit on the appeals panel as and when required. By appointing additional panel members, the Local Authority will meet its statutory duty.

5. Other Options Considered

5.1. Not applicable.

6. Background

6.1. The Local Authority currently has a pool of people registered as panel members who are eligible to sit on the School Admission Appeals Panel

6.2. The Local Authority is constantly reviewing the number of people eligible to sit on these panels and periodically seeks to appoint new members where numbers have declined due to retirement or resignation.

6.3. The Local Authority has received an application from a prospective panel member. The applicant was interviewed and evaluated by a lawyer in the Legal Services Adults and Education Team and their appointment would be recommended. The applicant's details are not included in this report. If members require the personal details of the applicant to be disclosed and discussed at the meeting, the Committee will have to resolve to move into Part II as the information is exempt by virtue of paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (information relating to any individual).

6.4. All members of the School Admission Appeals Panel receive training before sitting on these panels.

7. Implications

7.1. Legal

7.1.1. The Local Authority has a legal responsibility to ensure that there is a sufficient pool of trained panel members, both lay members and educational members, to sit on Independent School Admission Appeals Panels to ensure that these Panels operate lawfully and follow due process.

7.2. Finance

7.2.1. There are no direct implications for finance.

7.3. Policy

7.3.1. There are no direct implications for policy.

7.4. Equality

7.4.1. There are no direct implications for equality.

7.5. Human Resources

7.5.1. There are no direct implications for human resources.

7.6. Risk Management

7.6.1. Panel decisions are potentially subject to an investigation by the Local Government and Social Care Ombudsman, Education Funding Agency and/or Judicial Review.

7.7. Rural Communities

7.7.1. There are no direct implications for rural communities.

7.8. Children and Young People/Cared for Children

7.8.1. There are no direct implications for children and young people.

7.9. Public Health

7.9.1. There are no direct implications for public health.

7.10. Climate Change

7.10.1. There are no direct implications for climate change.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance Contact email address: brian.reed@cheshireeast.gov.uk Work telephone number: 01270 686670
Appendices:	No Appendices
Background Papers:	Background papers relating to this report which are not exempt can be inspected by contacting the Contact Officer above.