

OPEN



Corporate Policy Committee

27 November 2025

Appointment of a New Member to the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews

Report of: Kevin O'Keefe, Interim Director of Law and Governance (Monitoring Officer)

Report Reference No: CPC/48/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

- 1 This report invites the Committee to consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

Executive Summary

- 2 To consider the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

RECOMMENDATIONS

That the Corporate Policy Committee

1. Approve the appointment of one individual to become a member of the Independent School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews.

Background

- 3 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.
- 4 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 necessary checks have been completed, in accordance with the Safer Recruitment Selection Policy and Procedure.
- 5 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 All members of the School Admission Appeals Panel and Independent Review Panel for Exclusion Reviews receive training before sitting on these panels.

Consultation and Engagement

- 7 The Council has received an application from a prospective panel member. The applicant was interviewed and evaluated by a Principal Lawyer in Legal Services and their appointment would be recommended.

Reasons for Recommendations

- 8 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.
- 9 Under s51A Education Act 2002 and the School Discipline (Pupil Exclusions and Reviews) Regulations 2012 the Local Authority, where it is the arranging authority, is responsible for ensuring that an exclusion review hearing is conducted by a review panel constituted in accordance

with the regulations. By appointing additional panel members the Local Authority will meet its statutory duty.

Other Options Considered

Option	Impact	Risk
To do nothing	Not having the required number of panel members to hold School appeal meetings.	School appeals and exclusions not being heard within statutory timescales or in a timely manner

Implications and Comments

Monitoring Officer/Legal/Governance

- 10 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 and Independent Review Panel for Exclusion Reviews to ensure that these Panels operate lawfully and follow due process.

Section 151 Officer/Finance

- 11 In accordance with the Council's Scheme of Members Allowance, school appeal panelists may claim reasonable travel for attendance at face to face school appeals meetings. They may also be reimbursed for any loss of earnings incurred as a direct result of the performance of their duties when attending appeal meetings or associated training up to a maximum of £50 per four-hour session (or part thereof) on receipt of proof of the loss from their employer.

Human Resources

- 12 There are no direct implications for human resources.

Risk Management

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

Impact on other Committees

- 14 The decision will have no impact on other committees.

Policy

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Commitment 3: An effective and enabling council

3.2 Effective and responsive governance, compliance and evidence-based decision making

Equality, Diversity and Inclusion

16 There are no direct implications for equality.

Other Implications

17 There are no other implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
<i>Statutory Officer (or deputy) :</i>			
Ashley Hughes	S151 Officer	03/10/25	03/11/25
Kevin O'Keefe	Monitoring Officer	31/10/25	03/11/25
<i>Legal and Finance</i>			
Leah Benson	Senior Lawyer (People)	21/08/25	21/08/25

Access to Information

Contact Officer:	Katie Small, Democratic Services Manager Katie.small@cheshireeast.gov.uk
Appendices:	None

Background Papers:	The background papers relating to this report which are not exempt can be inspected by contacting the Contact Officer above.
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