

Independent Appeal Panel

The following information provides guidance on the roles of the Independent Appeal Panel and the Clerk to the appeal panel. Full training will be provided to ensure that hearings are conducted in accordance with the School Admission Code 2014 and the School Admission Appeals Code.

Clerk to the appeal panel

The clerk to an appeal panel must be independent of the school and the education functions of the local authority. They must have knowledge of the School Admissions Code, the School Admission Appeals Code and other law relating to admissions, including equalities legislation.

The role of the clerk is to make all the necessary administrative arrangements for the appeal and give advice on procedure and admissions law. The School Admission Appeals Code sets out certain particular responsibilities of the clerk.

This role includes:

- giving advice to the panel to enable it to carry out its judicial function
- responding to any queries from parents in advance of the appeal hearing
- providing independent and impartial advice to all parties on the appeals process and admissions law when it's requested
- sending all the relevant papers required for the hearing to all parties
- informing all parties about the order of the proceedings in advance of the hearing
- keeping an accurate record of the proceedings
- sending written notification of the panel's decision

Independent appeal panel

The appeal panel is the decision maker. The panel considers the case put forward by both the appellant and the admission authority and comes to an independent conclusion as to whether the admission authority should admit the child in question.

Appeal panels perform a judicial function and must be independent, impartial and transparent in their decision-making at all times. Panel members must not have a vested interest in the outcome of any stages of the appeal or be involved in an earlier stage of the proceedings, for example the decision to refuse admission.

The panel should consist of a chair and at least two other panel members, of which one is:

- a lay person, someone without personal experience of managing a school or the provision of education in a school (except as a school governor or in another voluntary capacity)
- someone with experience in education (such as a teacher), who is acquainted with the educational conditions in the local area, or who is the parent of a registered pupil in a (different) school

The appeal panel should not include any members whose involvement could raise doubts about impartiality. Regulations disqualify certain specific categories of people from panel membership.

This includes:

- employees of the local authority, school or academy trust
- a member or former member of the governing body
- a teacher or teaching assistant at the school
- a person involved in admission decisions at the school
- a member of the local authority
- a close friend of the appellant

The appeal panel should also not include anyone who has not had the relevant training to hear school admission appeals.