

Education Scrutiny Committee

Meeting to be held on Tuesday, 26 September 2017

Electoral Division affected: All

Report on School Appeals

Contact for further information:

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Executive Summary

This report gives an update on the current position of school appeals activity and issues.

Recommendation

The Internal Scrutiny Committee is requested to:

- i. Note the report presented.
- ii. Discuss and agree potential recommendations in relation to matters for consideration outlined in the report.

Background and Advice

If a person with parental responsibility is unhappy with a place that they have been given for their child at a school or they have been refused a place, they can appeal to the County Council who must arrange for an appeal to be heard by an independent panel in accordance with the School Admissions Appeals Code (2012). Generally hearings are informal and last around 20 -30 minutes.

The School Appeals team at the County Council liaise with all internal colleagues from the Pupil Access Team, with the families concerned and the schools who buy into the service. The team arranges for the appeal to be heard in front of a panel of three people acting independently of the Local Authority and a clerk who advises and records the decision and communicates with the families. The panel makes the decision about the appeal and must act in accordance with the law.

1. Annual Statistics for School Admissions Appeals

Figure 1 below shows the total of school appeals undertaken over the last four complete financial years. It shows a trend going broadly up.

Figure 1 Appeals for financial year 2013/14 – 2016/17			
2013/14	2014/15	2015/16	2016/17
1817	2460	2630	2399

The total for the financial year 2015/16 was 2630 compared to 2016/17 of 2399 which shows a -9% decrease compared to the previous year. However it shows there has been a steady increase prior to this in previous years.

2. Dealing with appeals in an effective manner

When there are a large number of appeals for the very popular schools, a new process of Group Appeal hearings has been adopted. These consist of all parents being invited to the presentation outlining the schools case by the presenter.

The parents are then allocated time slots on that or another day inviting them to come and present their reasons to the Panel why they wish their child to attend that particular school.

This is more cost effective as the process is considerably shorter for all concerned, for the following reasons.

- The time of the officer presenting the appeal considerably cuts the amount of time that they have to be away from the normal place of work
- The booking of rooms are considerably reduced and as such venue costs are reduced.
- The time of the clerk required to attend the hearings is also reduced.
- The travel and subsistence for Volunteer Panel members are reduced
- Parents are all told the same thing by the presenter at the same time and they can then see the number of appeals being heard for the school appealed for so this manages expectations.
- The parents also benefit as the time slots are more manageable for the clerk to make sure that there is limited waiting time for parents.

3. Education Scrutiny Committee – matters for consideration

The Committee are requested to discuss and agree potential recommendations in relation to the matters for consideration outlined below:

- a. The Appeals Team will need further suitable volunteers to come forward and be trained as panel members, as we have recently had some long standing and experienced volunteers retire.
- b. A number of casual clerks were recruited for the 15/16 financial year to reduce dependency on legal staff being called upon during busy times of year. This has resulted in the service being able to operate independently, without impacting upon other council functions. However the appointment of further additional casual clerks for the busy periods between April and July 2018 will need to be addressed as again two casual clerks who have undertaken much

of this work over the years have stated that they are retiring or need to cut back on the volume of appeals that they do due to personal reasons.

- c. The Appeals Team tries to secure the cheapest method of holding appeals, this can be by booking free rooms at County Hall or securing reduced rates at other establishments such as Burnley Football Ground when booking appeals. However the team struggles with venue availability in the Ormskirk area and the County Council simply cannot find suitable facilities to hear appeals. This means that we are required to hold these appeals at County Hall meaning that parents and presenters have to travel from Ormskirk to attend which is not ideal.
- d. The Appeals Team are currently using the appeals module in Impulse for administering appeals. As you may be already aware, improvements from moving from version 9 to 14 have already being taken forward by BTLS. We are expecting improvements to be made to the system in relation to the appeals administrative and reporting functions. The on line application process for admissions for Reception and year 7 is already in operation. The team has highlighted the desire for an on-line appeals process in the future, to move away from paper systems which are more expensive to administer.
- e. Last but not least the County Council raises £180k every financial year by charging all voluntary aided schools, foundation schools or academies for administering their school appeals. This income helps to cover the costs of administering those appeals. However the Department for Education has just released school funding guidance which includes clarification about the issues of school charging for different categories. The guidance, that is effective from 2018/19, states that local authorities should not be treating these schools any differently from community and voluntarily controlled schools. As a consequence, officers are currently assessing the guidance and will brief the relevant cabinet member before consulting with the Schools Forum on the preferred way forward.

Consultations

The School Appeals Team and Head of Legal and Democratic Services have been consulted in the production of this report.

Implications:

None

Risk management

The recruitment of extra casual clerks and panel members as outlined in Section 3 above needs to be undertaken in the near future, otherwise it is probable that the County Council will not be able to meet its statutory obligations to arrange school appeals. The development of more efficient ways of working will improve the cost

effectiveness of the team. A reformed charging process will ensure that the County Council acts within the new guidance as issued by the Department for Education.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Tel
School Admissions Appeals Code (2012)	2012	Angela Esslinger 01772 533950