

SCHEDULES

SCHEDULE 24

ADMISSION APPEALS

PART I

CONSTITUTION OF APPEAL PANELS

Appeal arrangements made by governing bodies

- 2 (1) An appeal pursuant to arrangements made by the governing body of a foundation or voluntary aided school under section 94(2) shall be to an appeal panel constituted in accordance with this paragraph.
- (2) An appeal panel shall consist of three or five members appointed by the governing body from—
- (a) persons who are eligible to be lay members; and
 - (b) persons who have experience in education, are acquainted with educational conditions in the area of the school or are parents of registered pupils at a school.
- (3) Of the members of an appeal panel—
- (a) at least one must be a person who is eligible to be a lay member and is appointed as such; and
 - (b) at least one must be a person falling within sub-paragraph (2)(b).
- (4) For the purposes of this paragraph a person is eligible to be a lay member if he is a person without personal experience in the management of any school or the provision of education in any school (disregarding any such experience as a governor or in any other voluntary capacity).
- (5) Sufficient persons may be appointed by the governing body under this paragraph to enable two or more appeal panels to sit at the same time.
- (6) No person shall be a member of an appeal panel if he is disqualified by virtue of sub-paragraph (7).
- (7) The following persons are disqualified for membership of an appeal panel—
- (a) any member of the local education authority by whom the school is maintained or of the governing body;
 - (b) any person employed by the authority or the governing body, other than a person employed as a teacher;
 - (c) any person who has, or at any time has had, any connection with the authority or the school, or with any person within paragraph (b), of a kind which might reasonably be taken to raise doubts about his ability to act impartially in relation to the authority or the school.

Status: This is the original version (as it was originally enacted).

- (8) A person employed as a teacher by the authority shall not be taken, by reason only of that employment, to have such a connection with the authority as is mentioned in sub-paragraph (7)(c).
- (9) A person who is a teacher at a school shall not be a member of an appeal panel for the consideration of an appeal involving a question whether a child is to be admitted to that school.
- (10) Where, at any time after an appeal panel consisting of five members have begun to consider an appeal, any of the members—
- (a) dies, or
 - (b) becomes unable through illness to continue as a member,
- the panel may continue with their consideration and determination of the appeal so long as the number of the remaining members is not less than three and the requirements of sub-paragraph (3) are satisfied.
- 3 (1) Where (by virtue of section 94(3)) joint arrangements are made under section 94(2) by the governing bodies of two or more schools, paragraph 2 shall apply as if—
- (a) (except in sub-paragraph (7)) any reference to the governing body were a reference to the governing bodies of both or all the schools; and
 - (b) in sub-paragraph (7), any reference to the governing body of the school in question or to that school were a reference to any of those governing bodies or to any of those schools (as the case may be).
- (2) An appeal pursuant to such joint arrangements shall be to an appeal panel constituted in accordance with paragraph 2 as it so applies.