

SCHEDULES

SCHEDULE 2

SCHOOL ADMISSION APPEALS

PART I

CONSTITUTION OF APPEAL COMMITTEES

- 1 (1) An appeal pursuant to arrangements made by a local education authority under section 7(1) of this Act shall be to an appeal committee constituted in accordance with this paragraph.
- (2) An appeal committee shall consist of three, five or seven members nominated by the authority from among persons appointed by the authority under this paragraph; and sufficient persons may be appointed to enable two or more appeal committees to sit at the same time.
- (3) The persons appointed shall comprise—
- (a) members of the authority or of any education committee of the authority; and
 - (b) persons who are not members of the authority or of any education committee of the authority but who have experience in education, are acquainted with the educational conditions in the area of the authority or are parents of registered pupils at a school;
- but shall not include any person employed by the authority otherwise than as a teacher.
- (4) The members of an appeal committee who are members of the authority or of any education committee of the authority shall not outnumber the others by more than one.
- (5) A person who is a member of an education committee of the authority shall not be chairman of an appeal committee.
- (6) A person shall not be a member of an appeal committee for the consideration of any appeal against a decision if he was among those who made the decision or took part in discussions as to whether the decision should be made.
- (7) A person who is a teacher at a school shall not be a member of an appeal committee for the consideration of an appeal involving a question whether a child is to be admitted to that school.
- 2 (1) An appeal pursuant to arrangements made by the governors of an aided or special agreement school under section 7(2) of this Act shall be to an appeal committee constituted in accordance with this paragraph.
- (2) An appeal committee shall consist of three, five or seven members nominated by the governors from among persons appointed by them under this paragraph; and

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sufficient persons may be appointed to enable two or more appeal committees to sit at the same time.

- (3) The persons appointed—
- (a) may include one or more of the governors ;
 - (b) shall include persons appointed from a list drawn up by the local education authority by whom the school is maintained ; and
 - (c) shall not include any person employed by the authority otherwise than as a teacher.
- (4) Half the members of an appeal committee (excluding the chairman) shall be nominated from among such persons as are mentioned in sub-paragraph (3)(b) above.
- (5) None of the governors shall be chairman of an appeal committee.
- (6) A person shall not be a member of an appeal committee for the consideration of any appeal against a decision if he was among those who made the decision or took part in discussions as to whether the decision should be made.
- (7) A person who is a teacher at a school shall not be a member of an appeal committee for the consideration of an appeal involving a question whether a child is to be admitted to that school.
- 3 An appeal pursuant to joint arrangements made by virtue of section 7(3) of this Act by the governors of two or more schools shall be to an appeal committee constituted as provided in paragraph 2 above, taking references to the governors as references to the governors of both or all the schools.
- 4 An appeal committee constituted in accordance with paragraph 2 or 3 above shall be included in the bodies to which sections 173(4) and 174 of the Local Government Act 1972 (allowances) apply.