

## SCHEDULES

### SCHEDULE 2

#### SCHOOL ADMISSION APPEALS

##### PART II

##### PROCEDURE

- 5 An appeal shall be by notice in writing setting out the grounds on which it is made.
- 6 An appeal committee shall afford the appellant an opportunity of appearing and making oral representations and may allow the appellant to be accompanied by a friend or to be represented.
- 7 The matters to be taken into account by an appeal committee in considering an appeal shall include—
- (a) any preference expressed by the appellant in respect of the child as mentioned in section 6 of this Act; and
  - (b) the arrangements for the admission of pupils published by the local education authority or the governors under section 8 of this Act.
- 8 In the event of disagreement between the members of an appeal committee the appeal under consideration shall be decided by a simple majority of the votes cast and in the case of an equality of votes the chairman of the committee shall have a second or casting vote.
- 9 The decision of an appeal committee and the grounds on which it is made shall be communicated by the committee in writing to—
- (a) the appellant and the local education authority; and
  - (b) in the case of an appeal to an appeal committee constituted in accordance with paragraph 2 or 3 above, to the governors by or on whose behalf the decision appealed against was made.
- 10 Appeals pursuant to arrangements made under section 7 of this Act shall be heard in private except when otherwise directed by the authority or governors by whom the arrangements are made but, without prejudice to paragraph 6 above, a member of the local education authority may attend as an observer any hearing of an appeal by an appeal committee constituted in accordance with paragraph 1 above and a member of the Council on Tribunals may attend as an observer any meeting of any appeal committee at which an appeal is considered.
- 11 Subject to paragraphs 5 to 10 above, all matters relating to the procedure on appeals pursuant to arrangements made under section 7 of this Act, including the time within which they are to be brought, shall be determined by the authority or governors by whom the arrangements are made; and neither section 106 of the Local Government Act 1972 nor paragraph 44 of Schedule 12 to that Act (procedure of committees of local authorities) shall apply to an appeal committee constituted in accordance with paragraph 1 above.