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March 2010

## **TRAINING FOR MEMBERS AND CLERKS OF SCHOOL ADMISSION APPEAL PANELS**

The Administrative Justice and Tribunals Council (AJTC) was established by the Tribunals Courts and Enforcement Act 2007 as the successor body to the Council on Tribunals (CoT). Its remit is to keep under review the administrative justice system and the constitution and working of tribunals and statutory inquiries within its oversight, including school admission appeal panels under section 94 of the School Standards and Framework Act 1998. In recent years the AJTC, and the CoT before it, has paid particular attention to the operation of school admission appeal panels, in respect of which the CoT published a Special Report in 2003, a copy of which I am enclosing for information.

Among the issues raised in the report was the question of training for panel members, the arrangements for which were largely unsatisfactory at that time. The report recommended the introduction of mandatory training for all panel members and specific training for panel Chairs. The CoT welcomed the introduction of a mandatory training requirement for panel members and clerks in The Education (Admission Appeals Arrangements) (England) (Amendment) Regulations 2007 (SI 2007/3206), which provides for all panel members and clerks to have received prescribed training within the previous two years. In order to avoid creating a burdensome training need for existing members and clerks the regulations [Reg 8A(2)(a)] provided that the training requirement was satisfied for all those who had served as a member or clerk on a panel from 1 March 2007 until 29 February 2008. This provision, however, ceased to apply from 1 March 2010.

In its response to the statutory consultation on the draft regulations the CoT suggested that, since there is no training infrastructure in place for admission appeal panel members and clerks, the Department ought to consider what further assistance or guidance on training it might be able to include in the statutory Code of Practice on Appeals. It was also suggested that officials might also wish to consider how best to monitor the extent to which the mandatory training requirement is being complied with.

The AJTC's staff have recently started to receive a good number of enquiries from appeal clerks asking where they might obtain help in accessing good quality training for

themselves and their panel members. Many of these enquiries appear to be from independent clerks serving the panels for foundation and voluntary-aided schools, which are their own admission authority. It is unfortunate that the Code of Practice on Admission Appeals unhelpfully directs enquiries about training to the AJTC, which is neither a provider of training nor is it in a position to endorse the training given by particular providers in this sector.

The root of the AJTC's immediate concern is that many clerks and panel members may be unaware of the significance of the cessation of the Reg 8A(2)(a) provision, and specifically that from 1 March 2010 all panel members and clerks must have received the prescribed training within the previous two years to be able to sit on the panels. Unless this matter is quickly brought to their attention it may be too late to take remedial action, with the result that there may not be sufficient numbers of trained panel members and clerks to manage this year's appeals efficiently.

There is the further matter of the lack of access to good quality training, which also remains a concern to the AJTC. A number of years ago your department provided funding to the organisation *Information for School and College Governors (ISCG)* to develop training material for both admissions and exclusion appeal panel members, which was made freely available on the ISCG's website. However, I am not aware that this material has been maintained or updated in the meantime. The department might therefore wish to consider re-visiting this material with a view to establishing whether it might be updated to cover the prescribed training requirements. Alternatively, your officials might wish to investigate what LEAs are currently doing by way of training provision for panel members and clerks with a view to identifying some best practice guidance which could be made more widely available.

I thought I should take the opportunity to raise these matters with you at this particular time of the year when parents are learning the outcome of their admission applications and in the run up to this year's appeals round, which if the trend continues, could prove to be even more challenging than last year in terms of numbers. I look forward to a response to the issues raised in this letter.

Richard Thomas  
AJTC Chairman