

DEPUTY LEADER OF THE COUNCIL

PROVISION TO THE GODDARD PARK COMMUNITY PRIMARY SCHOOL, SWINDON OF ADMINISTRATION SUPPORT AND PROFESSIONAL ADVICE FOR SCHOOL ADMISSION APPEAL PANEL HEARINGS

Report by County Solicitor

Introduction

1. The Goddard Park Community Primary School, Swindon, is an Academy Trust School and educates pupils aged 5 – 11 years of age. The School have approached the Senior Education Appeals Officer with a request to provide the administrative and professional advisor support for a one-off set of school admission appeals and possible subsequent ad hoc appeals in the next 12 months.. The service provided would include: arranging panel members and hearing dates, meeting arrangements, circulation of papers, clerking at the meeting, notification of the outcomes and giving procedural advice.
2. The Academy is its own Admission Authority and as such must make arrangements for school admission appeals to be heard by an independent appeal panel

School Admission Appeals

3. School Admission Appeals in Oxfordshire are administered within Law & Governance by the Senior Education Appeals Officer aided by additional clerking and administrative support. In the current Academic year over 1000 appeals have been dealt with.
4. The School Admission Appeals service has recently been reviewed and one of the recommendations was to explore opportunities for income generation. This was primarily aimed at taking advantage of the experience and knowledge of the Senior Education Appeals Officer whose expertise is nationally recognised. Recently she was consulted in the early discussions on the recently released consultation draft of the Appeals Admissions Code. She has also provided training to appeals staff in other authorities.
5. As the school is an Academy there is no obligation on the Council to provide this service but it furthers one of the recommendations of the School Admission Appeals Review, provides a on-off income and may provide further opportunities in the future.

Financial and Staff Implications

6. The Council needs to enter into a formal contract with the Goddard Park Community Primary School in order to provide the service. The charges to the School will be of three types: the first is the one-off legal costs for preparing the contract; the second, the cost of the appeals based on the estimated staff and support costs (this will vary between £3,000 and £4,500 dependent on the number of appeals); and, the third, being a payment for the associated increase in the Council's insurance premium. There is no additional cost to the Council.
7. Rule 105 of the Council's Financial Procedure Rules (Part 8.2 of the Constitution) states:

“Cabinet approval must be obtained before any negotiations are concluded about working for third parties.”
8. There is a standing delegation to each Member of the Cabinet in Part 4.4 of the Constitution (Delegated Decisions by Individual Cabinet Members) to take decisions within his/her portfolio except in certain cases. This instance does not fall within any of the exceptions listed at (1)(a) – (i).

RECOMMENDATION

The Deputy Leader is **RECOMMENDED** to:

- **approve the provision of administration support and professional advice for school admission appeal panel hearings to the Governing Body of The Goddard Park Community Primary School; and,**
- **authorise the Council's officers to enter into a legal agreement to that effect with the Governing Body of Oxford Academy.**

PETER CLARK
County Solicitor

Background papers: School Admission Appeals Review
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