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Dear Sirs

**RE: SCHOOL ADMISSION APPEALS CODE
DCSF CONSULTATION DOCUMENT**

With reference to the above consultation Elected Members of Leeds City Council have the following comments:-

Representation - paragraph 2.14.

Members feel strongly that they should be able to represent parents at their school appeals and that this should not be prohibited by legislation or guidance. Members are therefore supportive of the provision in the draft revised code to allow Councillors to represent constituents.

In particular members comment that councillors must not be hindered in performing the duties they were elected to do, namely to represent constituents unless the councillor had some prejudicial interest such as being a governor at one of the schools concerned or being a parent who was involved in the same set of appeals.

Local councillors should be able to assist constituents at school appeals hearings helping them put their views across and if necessary and if requested speaking on their behalf.

Councillors only attend schools appeals meetings at the request of constituents and if asked should be able to accept. It is not believed that it is the intention of the councillors who attend these meetings to pressurise officers.

Any guidance which sought to cut councillors out of school appeals or any other system of representation or appeal to a council would disadvantage those who were least able to deal with bureaucracy; the articulate or more affluent might be able to represent themselves adequately, or be able to afford to buy in professional advice.

The reference to a “member of the admission authority concerned” is not understood and clarification is required as to exactly who it is intended to cover.

Further the use of the words “such as “when stating MPs and local politician’s rights of attendance is not helpful and given the limited group involved it would be better to state exactly who can accompany parents to avoid any future difficulties in interpretation.

Witnesses – Paragraph 2.18

This paragraph seeks to prevent elected members from appearing as witnesses at school admission appeals panels. However in some cases an elected member may be the best or only witness available to a parent. In these cases any perceived unfairness of permitting elected members to give evidence may be outweighed by the unfairness of leaving parents in the kinds of situation set out above, unable to provide necessary evidence. It may be unfair as a matter of Public Law and may also breach parent’s human rights.

Yours sincerely

Nicole Jackson
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(Corporate Governance)
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