

12 June 2019**Agenda Item: 13****REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND
EMPLOYEES****RESOURCES FOR EDUCATION APPEALS PANEL MEMBERS****Purpose of the Report**

1. To consider making available a small annual payment to reimburse volunteers for printing costs arising from the Council's statutory responsibilities relating to education appeals.

Information and Advice**Background**

2. The Council is legally required to provide a service for parents / carers who wish to appeal for any place refused at any of the Council's community schools. The Council also provides services for those academies and foundation schools that have chosen to buy in this service.
3. The Council currently has a pool of 43 volunteers covering the legally required categories (Education and Lay Members), 12 of whom have been trained as Chairs.
4. The costs for providing the School Admission Appeals service for the Council's own community schools are met from a distinct budget which is funded from the Dedicated Schools Grant to the admissions authority (i.e. Children and Young People's Department).
5. In line with the practice of many Councils nationally, the appeals are administered by Democratic Services, as this team is seen as an independent arm of the Council (ensuring there is no conflict of interest with the admissions authority).
6. Many of the costs incurred in administering the appeals for community schools are recharged to the Council's relevant admissions authority budget, including travel claims from Panel Members and printing and postage costs.
7. The process remains paper-intensive by its very nature (no Council nationally has managed to move to a paperless approach that meets the legislative requirements although some are starting to explore the possibility of this).
8. In recent years, there has been an increase in the amount of paperwork which some appellants have submitted as part of their case and often such papers are received very late in the day, without sufficient time for Democratic Services to post these onto Panel Members. As a result, there has been an increasing reliance on electronic circulation of late

paperwork, which requires Panel Members to print these documents using their own personal ICT equipment at home. This equates to a saving for the Council in terms of printing and postage costs, with the printing costs essentially being picked up by Panel Members in such cases.

9. As a result of this change in practice, Panel Members have queried, through their annual training event, whether a nominal payment could be made on an annual basis to go some way to recognising and recouping the costs they are having to incur.
10. The national School Admission Appeals Code permits Panel Members to receive travel and subsistence allowances and to be compensated for any loss of earnings or expenses. Following a recommendation of the Independent Remuneration Panel in 2009, the Council no longer pays subsistence to Panel Members, with lunch and refreshments now being provided as appropriate.
11. Any payment to cover printing costs would be permissible under the Code in relation to recompensing expenses, although it is proposed that a single annual payment would be more efficient to administer than ad hoc individual payments.
12. It is therefore proposed that Panel Members should be permitted to submit a claim for £30 to cover their annual printing costs where applicable (not all Panel Members have printing facilities and therefore do not incur such costs).
13. It is recognised that Chairs and some Panel Members are involved in hearings on a more regular basis than others (for example, some Chairs cover more than 100 days of appeals each year). It is therefore proposed that a second claim for £30 should be permissible where it can be evidenced by Democratic Services that such Members have been required to print at home on a more frequent basis.
14. It is proposed that the claims be included in the regular travel expenses claims, thereby not incurring further administration costs.

Financial Implications

15. If every Panel Member claimed £30 each year this would result in an annual cost of £1290. It is estimated that the maximum costs are likely to be in the region of £1500 each year (after discounting those Members who do not have printing facilities at home and including an element of second claims as per paragraph 11).
16. In light of these costs effectively replacing previous printing and postage costs which the Council would have funded via the School Admission Appeal budget in Children and Young People's Department, it is proposed that these costs should be recharged to that same budget.

Other Options Considered

17. To not make annual payments but this in effect would penalise Panel Members for undertaking this vital, voluntary role.

18. Panel Members could be requested to submit claims on an individual basis to cover each individual printing job but this would be difficult to cost on a fair and consistent basis and would be more time-consuming and costly to administer.
19. Panels could choose to not consider any late information received after the published deadline but this would be contrary to the inclusive approach which Members and clerks are keen to follow. This could also penalise appellants when information has only become available close to the date of a hearing (for example, medical information or documents from relevant public sector bodies) and could result in more hearings being adjourned, challenged, or reheard, which would result in further costs to the Council.

Reason/s for Recommendation/s

20. To address concerns from Panel Members that changes in practice and advances in technology have resulted in them incurring some of the costs of this function historically borne by the Council.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

That Education Appeal Panel Members be permitted to submit claims for an annual payment of £30 to cover any printing costs, with a second payment of £30 also permitted for those Panel Members where it can be evidenced that they have incurred further printing costs as a result of a high number of appeals attended involving late papers in a particular year.

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Constitutional Comments (KK – 22/5/19)

Governance & Ethics Committee is the appropriate body to consider the content of the report.

Financial Comments (SS – 30/5/19)

The 2019-20 budget for School Admission Appeals is £30,000 and funded from the Dedicated Schools Grant. The estimated maximum cost of £1,500 for Panel Members printing costs can be contained within that amount.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

Electoral Division(s) and Member(s) Affected

All