

ADJUDICATION & REVIEW COMMITTEE

21 April 2015

Subject Heading:

POOL OF INDEPENDENT PERSONS

CMT Lead:

Deborah Hindson – Interim Director
oneSource

Report Author and contact details:

Andrew Beesley, Committee
Administration & (Interim) Member
Services Manager
01708 432437
andrew.beesley@onesource.co.uk

Policy context:

School Admission Appeals Code 2012

Financial summary:

There will be costs associated with
statutory training for the independent
persons

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for
People will be safe, in their homes and in the community
Residents will be proud to live in Havering

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SUMMARY

The Council maintains a pool of Independent Persons, who are used for school admission and exclusion appeal, Social Services, Children's Services and Corporate Complaints hearings. There are statutory obligations on making appointments to the pool for school, Social Services and Children's Services panels, which are satisfied by the submission and consideration of this report. The pool is used as a matter of convenience for Corporate Complaints, since maintaining multiple pools for what amount to the same purpose would be unnecessary.

An advertisement seeking applications for appointment is usually published every three years. That was done late last year and a number of applications were received. Confirmation of the appointment of the group of applicants is sought; along with the re-confirmation of the existing pool of Independent Persons.

RECOMMENDATION

That the appointment to the pool of Independent Persons of the individuals named in the appendices (containing exempt information and not available to press or public) be confirmed.

REPORT DETAIL

1 Introduction

- 1.1 Statutory procedures for School Admissions and Exclusion Appeals, Children's Services Complaints and Social Services Complaints each require the appointment of "Independent Persons" (IPs) to participate in such hearings. For School Appeals and Children's Services hearings, the whole panel must consist of IPs; for Social Services hearings, at least two of the three members must be IPs (a separate report to this meeting discusses peripheral issues in this regard).
- 1.2 In addition, for some time the Council has voluntarily included an IP in its panels hearing Corporate Complaints.
- 1.3 The qualities and character that make a good IP are essentially the same for all types of appeal and the Council decided some years ago to use the same people for all purposes and combined what had up to then been several different pools of IPs (with some cross-membership) into one, although clearly differing skills and experience will make individuals more or less suited to specific types of process.

2 Appointment process

- 2.1 For the statutory procedures, the law requires "the local authority" to make appointments for panels: school appeals appointments are usually made at three yearly intervals. Under the Council's Constitution, the responsibility for making such appointments is delegated to this Committee.
- 2.2 Some individuals have served as IPs for many years, forming an experienced core of IPs. To these are added new recruits from time-to-time, obtained either following a "campaign" consisting of an advertisement in "Living in Havering" or by direct approaches from interested people.
- 2.3 Potential recruits from either source are invited to complete application forms, following consideration of which some are not pursued but others are asked in for a briefing. The vetting process is undertaken by the Manager of the Education Appeal Secretariat (who is also the Committee Administration Manager). Successful applicants are appointed as panel members (and may

act as such immediately), subject to confirmation in due course by this Committee.

3 Training

- 3.1 As a matter of course, all IPs are given initial training in the form of a familiarisation session, a handbook containing a great deal of statutory and other advice and opportunity to observe one or more sessions of hearings. New statutory requirements will mean that IPs serving on School Exclusion, Children's Services and Social Services Appeals will need more specific training.
- 3.2 Most training is delivered "in house" by the Council's own staff but inevitably some – especially on exclusions – has to be delivered through external training providers.

4 The current pool

- 4.1 The current pool of IPs is listed in Appendix A to this report (which contains exempt information and has not been published). The Committee is asked to re-affirm the appointment of those persons, and to confirm the appointment of the proposed cohort of new independent persons listed in exempt Appendix B to this report. To protect those concerned, the appendices are exempt and have not been published as they contain personal information by which particular individuals could be identified.

IMPLICATIONS & RISKS

HUMAN RESOURCES IMPLICATIONS AND RISKS

There are no human resources risks and implications for the Council directly associated with this report.

LEGAL IMPLICATIONS AND RISKS

The Council have several statutory obligations to appoint IPs, which are satisfied by the recommendation in this report.

FINANCIAL IMPLICATIONS AND RISKS

There will be some minor financial implications arising directly from this report. Some training costs will arise but these will be met from within appropriate existing budgets.

Background Papers

There are no background papers