

SOUTHWARK DIOCESAN BOARD OF EDUCATION

POLICY STATEMENT

ADMISSION APPEAL HEARINGS IN THE ABSENCE OF THE APPELLANT

The Board of Education recognises the need for admission appeal hearings to be conducted fairly, with both the appellant and the governors' representative being able to present their cases to the committee. It is important that neither party feels that the other has had an unfair advantage by being allowed to address the committee alone.

However, the Board considers that where one party has chosen not to attend the hearing, the rules of natural justice dictate that this should not preclude the other party putting his/her case to the committee in person. The Board has reached this view after taking advice from the Department for Education and Skills and the Council on Tribunals.

This will then mean, for example, that should an appellant choose not to attend an appeal hearing, the governors' representative will be able to present the governors' case in person to the committee. It will be essential in such cases that the clerk ensures that no new evidence is put before the committee of which the appellant is unaware. Should it be the case that new evidence is brought, the committee may consider it necessary to adjourn the hearing so that the appellant can be made aware of the evidence.

June 1996 (Schools Committee)