

Appendix 2

The Role of the Chair – Conducting the Hearing

- The chair welcomes and introduces everyone and explains that the panel is independent and their decision is binding. They should explain the role of the clerk is to take notes and advise but make clear that the clerk is not involved in making the decision. They should also explain the procedure at the hearing and the way in which the decision will be taken.
- The chair should encourage all taking part to speak freely and to ask questions but must ensure that questions are relevant to the issues at hand.
- The chair should ensure an even handed approach and be particularly careful to ensure that parents have been given the opportunity to question evidence provided by the school and/or LA.
- The chair should sum up regularly so that everyone understands what has been said.

The order of the hearing will be as follows:

- a) The academy's representative – (also known as the Presenting Officer) will put forward the academy's case.
- b) The parent/carer and the panel will have an opportunity to question the academy's representative
- c) The parent/carer then presents their case.
- d) The panel and the academy will have an opportunity to question the parent/carer

Summing up

- e) The academy's representative sums up the academy's case.
- f) The parent/carer will sum up their case.

Panel members may ask questions at any time during the hearing to clarify what is being said or if they want to ascertain further information in order to reach a decision. However, they must not attempt to answer questions for the presenting officer or parents.

- Before the hearing concludes the chair should ask the appellants if they have said everything they wish to say. If the appellants feel that the hearing is unfair the chair must ensure that their reasons for this are clearly established and that they have opportunity to make further points.
- Finally the chair should explain how and when the parties will be notified of the decision.
- Explain that the panel's decision is final and binding on both parties.

Taking the Decision

- Once the appellant, school and LA representatives have presented their case and left the room, the chair should sum up the case.
- The chair should reserve their opinion until the other panel members have stated theirs.
- The chair should make sure that the reasons for the decision taken are clear and conform to law and good practice.

The Role of the Clerk

The clerk will co-ordinate each step of the appeals process, liaising with all parties and assisting with advice.