

The Panel and the Education Authority asked questions of the Appellant.

Both parties were then given the opportunity to sum up their cases.

The Chair thanked everyone for their attendance and asked all parties to withdraw from the meeting at this point in the proceedings to allow the Panel to consider the evidence put before it, confirming that both parties would initially be notified of the Panel's decision later that day via telephone call from the Clerk, with formal notification of the decision being confirmed in writing within 14 days.

Decision

After considering all the evidence, the Panel agreed that the grounds for refusal relied upon by the Education Authority had been established and that it had been appropriate to refuse the placing request for the reasons stated. In particular the Panel found that the Education Authority had established that admitting the child would require the Education Authority to employ an additional teacher. The Panel also rejected the Appellant's submission that the Education Authority could utilise one of the two reserved spaces available to admit the child. The Panel noted that the law on reserved spaces is clear that these places cannot be taken into consideration by the Panel when deciding upon a placing request appeal.

The Panel then considered whether in all the circumstances it was appropriate for it to confirm the Education Authority's refusal of the placing request. The Panel did not find that the Education Authority had misdirected itself in law. However the Panel felt that given the issues raised during the meeting, it was appropriate in all the circumstances to overturn the Education Authority's decision and allow the appeal against the refusal of the placing request.

The Panel therefore upheld the appeal and overturned the Education Authority's decision to refuse the placing request.

The Chair declared the meeting closed at 2.50 pm