

# **Tribunals Service**

## **First-tier Tribunal – Health Education and Social Care Chamber**

### **Special Educational Needs and Disability**

Statistical Information 2007-2008

#### **Contents**

##### **1. Special Educational Needs Appeals**

**1.1 Speed of Disposal**

**1.2 Volume of Work**

**1.3 Disposal of Appeals**

**1.4 Types of Appeal**

**1.5 Nature of SEN**

**1.6 Outcome of Appeals: General**

**1.7 Outcome of Appeals: Decided**

**1.8 Outcomes by SEN**

**1.9 Decisions by SEN**

**1.10 Outcome of Appeals: Schools**

**1.11 Ethnic Monitoring**

**1.12 Representation**

**1.13 High Court Appeals**

##### **2. Disability Discrimination Claims**

**2.1 Speed of Disposal**

**2.2 Volume of Work**

**2.3 Disposal of Claims**

**2.4 Types of Claim**

**2.5 Nature of Disability**

**2.6 Outcome of Claims: General**

**2.7 Ethnic Monitoring**

**2.8 Representation**

**2.9 High Court Appeals**

##### **3. Appendices**

**3.1 Appendix 1 Appeals Registered**

**3.2 Appendix 2a Chairs**

**3.3 Appendix 2b Lay Members**

## 1. Special Educational Needs

### 1.1 Speed of Disposal

The following table shows the number of appeals that have had a decision (including struck out) and the average time it has taken from registration to decision

Decisions Issued 2007-2008	Number Issued	Average number of months	Decisions Issued 2006-2007	Number Issued	Average number of months
Sep – Nov	214	6.8	Sep – Nov	257	5.4
Dec – Feb	193	5.5	Dec – Feb	263	5.4
Mar – May	217	5.7	Mar – May	241	6.9
Jun – Aug	248	5.2	Jun – Aug	284	4.5
<b>Total</b>	<b>872</b>	<b>5.8</b>		<b>1045</b>	<b>5.5</b>

### 1.2 Volume of work

The proportion of registered appeals relating to boys was **74%** and girls **26%** (2006-2007 ratio **74%** boys: **26%** girls).

The following table shows the total number of appeals received and registered in recent years.

Year	98/99	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07	07/08
Received	2595	2642	3035	3445	3772	3637	3513	3717	3378	3635
Registered	2412	2463	2728	3048	3532	3354	3215	3410	3110	3392

### 1.3 Disposal of Appeals

The following table shows the disposal of appeals over the last year.

	2007 - 2008	%	2006 - 2007	%
Conceded	968	30	1090	34
Decided	978	30	811	26
Struck Out	61	2	61	2
Withdrawn	1236	38	1214	38
<b>Total</b>	<b>3243</b>		<b>3176</b>	

## 1.4 Types of Appeal

The following table shows the different types of appeal that we received and the number registered during the year. Percentages below 1 are shown as zero.

<b>Types of appeal</b>	2007-2008	% of total	2006-2007	% of total
Against refusal to assess	1257	37	1237	40
Against refusal to make a statement	240	7	247	8
Against refusal to re-assess	56	2	58	2
Against refusal to change name of school	16	0	16	1
Against decision to cease to maintain statement	45	1	56	2
Against failure to name a school	0	0	1	0
Against contents of the statement - parts 2 & 3	391	12	335	11
Against contents of the statement - parts 2,3 & 4	1030	30	821	26
Against contents of the statement - part 4	357	11	338	11
<b>Total appeals registered</b>	<b>3392</b>		<b>3109</b>	

## 1.5 Nature of SEN

The following table shows a breakdown of appeals registered by nature of SEN.

<b>Nature of SEN</b>	2007-2008	% of total	2006-2007	% of total
Autistic Spectrum Disorder (ASD)	944	28	781	25
Behaviour, Emotional and Social Difficulty (BESD)	570	17	574	18
Hearing Impairment (HI)	91	3	95	3
Moderate Learning Difficulty (MLD)	347	10	175	6
Multi Sensory Impairment (MSI)	2	0	2	0
Other (OTH)	2	0	3	0
Physical Disability (PD)	152	4	166	5
Profound and Multiple Learning Difficulty (PMLD)	39	1	27	1
Severe Learning Difficulty (SLD)	73	2	42	1
Specific Learning Difficulty (SpLD)	555	16	481	16
Speech, Language and Communication Needs (SLCN)	334	10	391	13
Unknown	255	8	336	11
Visual Impairment (VI)	28	1	37	1
<b>Total appeals registered</b>	<b>3392</b>		<b>3110</b>	

## 1.6 Outcome of Appeals - General

The following tables show the total percentage of appeals that are withdrawn or conceded (i.e. do not go to a hearing) along side the number of appeals decided by the tribunal.

### Outcomes 2007-2008

#### Appeals not involving contents of statements

	Decided	%	Withdrawn	%	Conceded	%	Total
Refusal to Assess	188	15	156	12	921	73	<b>1265</b>
Refusal to Statement	65	27	42	17	134	56	<b>241</b>
Refusal to Re-assess	10	19	13	24	31	57	<b>54</b>
Cease to Maintain	23	53	20	47	0	0	<b>43</b>
<b>Total</b>	<b>286</b>	<b>18</b>	<b>231</b>	<b>14</b>	<b>1086</b>	<b>68</b>	<b>1603</b>

#### Contents of statements

	Decided	%	Withdrawn	%	Conceded	%	Total
Parts 2 and/or 3 not 4	85	25	250	75	0	0	<b>335</b>
Parts 2 ,3 and 4	405	46	467	54	0	0	<b>872</b>
Part 4 only	89	26	256	74	0	0	<b>345</b>
Refusal to change School named	7	35	10	50	3	15	<b>20</b>
Failure to name School	0	0	0	0	0	0	<b>0</b>
<b>Total</b>	<b>586</b>	<b>37</b>	<b>983</b>	<b>62</b>	<b>3</b>	<b>1</b>	<b>1572</b>
<b>Total Decisions Issued</b>	<b>872</b>	<b>27</b>	<b>1214</b>	<b>38</b>	<b>1089</b>	<b>34</b>	<b>3175</b>

### Outcomes 2006-2007

#### Appeals not involving contents of statements

	Decided	%	Withdrawn	%	Conceded	%	Total
Refusal to Assess	234	19	199	16	805	65	<b>1238</b>
Refusal to Statement	65	25	58	22	137	53	<b>260</b>
Refusal to Re-assess	13	22	23	38	24	40	<b>60</b>
Cease to Maintain	17	28	44	72	0	0	<b>61</b>
<b>Total</b>	<b>329</b>	<b>20</b>	<b>324</b>	<b>20</b>	<b>966</b>	<b>60</b>	<b>1619</b>

## Contents of statements

	Decided	%	Withdrawn	%	Conceded	%	Total
Parts 2 and/or 3 not 4	125	32	266	68	0	0	<b>391</b>
Parts 2 ,3 and 4	463	53	410	47	0	0	<b>873</b>
Part 4 only	113	33	230	67	0	0	<b>343</b>
Refusal to change School named	8	53	5	33	2	13	<b>15</b>
Failure to name School	1	50	1	50	0	0	<b>2</b>
<b>Total</b>	<b>710</b>	<b>43</b>	<b>912</b>	<b>56</b>	<b>2</b>	<b>0</b>	<b>1</b>
<b>Total Decisions Issued</b>	<b>1039</b>	<b>32</b>	<b>1236</b>	<b>38</b>	<b>968</b>	<b>30</b>	<b>3243</b>

## 1.7 Outcome of Appeals - Decided

The following tables show the outcome of appeals decided at the tribunal by the type of appeal.

### Outcomes 2007-2008

#### Appeals not involving contents of statements

	Upheld	%	Dismissed	%	Total
Refusal to Assess	113	60	75	40	<b>188</b>
Refusal to Statement	40	62	25	38	<b>65</b>
Refusal to Re-assess	8	80	2	20	<b>10</b>
Cease to Maintain	19	83	4	17	<b>23</b>
<b>Total</b>	<b>180</b>	<b>63</b>	<b>106</b>	<b>37</b>	<b>286</b>

#### Contents of statements

	Upheld	%	Dismissed	%	Total
Parts 2 and/or 3 not 4	74	87	11	13	<b>85</b>
Parts 2 ,3 and 4	379	94	26	6	<b>405</b>
Part 4 only	56	63	33	37	<b>89</b>
Refusal to change School named	2	29	5	71	<b>7</b>
Failure to name School	0	0	0	0	<b>0</b>
<b>Total</b>	<b>511</b>	<b>87</b>	<b>75</b>	<b>13</b>	<b>586</b>
<b>Total Decisions Issued</b>	<b>691</b>	<b>79</b>	<b>181</b>	<b>21</b>	<b>872</b>

## Outcomes 2006-2007

### Appeals not involving contents of statements

	Upheld	%	Dismissed	%	Total
Refusal to Assess	144	62	90	38	<b>234</b>
Refusal to Statement	41	63	24	37	<b>65</b>
Refusal to Re-assess	5	38	8	62	<b>13</b>
Cease to Maintain	12	71	5	29	<b>17</b>
<b>Total</b>	<b>202</b>	<b>61</b>	<b>127</b>	<b>39</b>	<b>329</b>

### Contents of statements

	Upheld	%	Dismissed	%	Total
Parts 2 and/or 3 not 4	112	90	13	10	<b>125</b>
Parts 2 ,3 and 4	438	95	25	5	<b>463</b>
Part 4 only	75	66	38	34	<b>113</b>
Refusal to change School named	2	25	6	75	<b>8</b>
Failure to name School	1	100	0	0	<b>1</b>
<b>Total</b>	<b>628</b>	<b>88</b>	<b>82</b>	<b>12</b>	<b>710</b>
<b>Total Decisions Issued</b>	<b>830</b>	<b>80</b>	<b>209</b>	<b>20</b>	<b>1039</b>

## 1.8 Outcomes by SEN

The following tables show the outcomes of appeals by SEN.

### Outcomes 2007-2008

	Decided	%	Withdrawn	%	Conceded	%	Total
Autistic Spectrum Disorder (ASD)	284	32	371	42	236	26	<b>891</b>
Behaviour, Emotional and Social Difficulty (BESD)	105	20	225	43	196	37	<b>526</b>
Hearing Impairment (HI)	31	37	39	46	14	17	<b>84</b>
Moderate Learning Difficulty (MLD)	55	20	114	41	112	40	<b>281</b>
Multi Sensory Impairment (MSI)	0	0	1	50	1	50	<b>2</b>
Other (OTH)	0	0	1	100	0	0	<b>1</b>
Physical Disability (PD)	41	30	59	44	35	26	<b>135</b>
Profound and Multiple Learning Difficulty (PMLD)	20	43	24	51	3	6	<b>47</b>
Severe Learning Difficulty (SLD)	24	38	29	45	11	17	<b>64</b>
Specific Learning Difficulty (SpLD)	157	31	138	27	215	42	<b>510</b>

Speech, Language and Communication Needs (SLCN)	94	28	134	40	107	32	<b>335</b>
Unknown	55	20	67	24	153	56	<b>275</b>
Visual Impairment (VI)	6	25	12	50	6	25	<b>24</b>
<b>Total</b>	<b>872</b>	<b>27</b>	<b>1214</b>	<b>38</b>	<b>1089</b>	<b>34</b>	<b>3175</b>

### Outcomes 2006-2007

	Decided	%	Withdrawn	%	Conceded	%	<b>Total</b>
Autistic Spectrum Disorder (ASD)	293	38	305	39	176	23	<b>774</b>
Behaviour, Emotional and Social Difficulty (BESD)	123	22	209	37	234	41	<b>566</b>
Hearing Impairment (HI)	37	43	47	54	3	3	<b>87</b>
Moderate Learning Difficulty (MLD)	48	28	83	47	43	25	<b>174</b>
Multi Sensory Impairment (MSI)	1	33	2	67	0	0	<b>3</b>
Other (OTH)	2	40	2	40	1	20	<b>5</b>
Physical Disability (PD)	66	36	84	46	33	18	<b>183</b>
Profound and Multiple Learning Difficulty (PMLD)	11	61	6	33	1	6	<b>18</b>
Severe Learning Difficulty (SLD)	31	42	35	48	7	10	<b>73</b>
Specific Learning Difficulty (SpLD)	171	35	158	32	165	33	<b>494</b>
Speech, Language and Communication Needs (SLCN)	128	30	178	42	120	28	<b>426</b>
Unknown	114	27	132	30	182	43	<b>428</b>
Visual Impairment (VI)	20	50	17	43	3	7	<b>40</b>
<b>Total</b>	<b>1045</b>		<b>1258</b>		<b>968</b>		<b>3271</b>

### 1.9 Decisions by SEN

This table indicates the number of decisions made in each category of SEN. See key below

	A	B	C	D	E	F	G	H	I	J	K
Autistic Spectrum Disorder (ASD)	25	10	0	4	0	0	19	2	0	32	28
Behaviour, Emotional and Social Difficulty (BESD)	19	3	0	3	0	0	20	1	0	6	7
Hearing Impairment (HI)	2	0	0	0	0	0	0	1	0	4	5
Moderate Learning Difficulty (MLD)	12	0	0	1	0	0	13	0	0	5	5
Multi Sensory Impairment (MSI)	0	0	0	0	0	0	0	0	0	0	0
Other (OTH)	0	0	0	0	0	0	0	0	0	0	0
Physical Disability (PD)	7	2	0	1	0	0	3	0	0	4	6
Profound and Multiple Learning Difficulty (PMLD)	0	0	0	0	0	0	0	1	0	2	5

Severe Learning Difficulty (SLD)	4	1	0	0	0	0	1	1	0	3	2
Specific Learning Difficulty (SpLD)	28	14	0	3	1	0	27	1	0	8	10
Speech, Language and Communication Needs (SLCN)	9	4	0	0	0	1	9	1	0	14	5
Unknown	13	5	0	1	0	0	18	1	0	2	0
Visual Impairment (VI)	1	0	0	0	0	0	2	0	0	1	1
<b>Total</b>	<b>120</b>	<b>39</b>	<b>0</b>	<b>13</b>	<b>13</b>	<b>1</b>	<b>1</b>	<b>112</b>	<b>9</b>	<b>0</b>	<b>81</b>

	L	M	N	O	P	Q	R	S	T	U
Autistic Spectrum Disorder (ASD)	1	1	0	0	2	127	1	14	1	17
Behaviour, Emotional and Social Difficulty (BESD)	0	0	0	0	0	25	1	7	0	13
Hearing Impairment (HI)	0	0	0	0	0	18	0	0	0	1
Moderate Learning Difficulty (MLD)	0	0	0	0	1	8	0	9	0	1
Multi Sensory Impairment (MSI)	0	0	0	0	0	0	0	0	0	0
Other (OTH)	0	0	0	0	0	0	0	0	0	0
Physical Disability (PD)	0	0	0	0	0	12	0	2	0	4
Profound and Multiple Learning Difficulty (PMLD)	0	0	0	0	0	8	1	2	0	1
Severe Learning Difficulty (SLD)	0	0	1	0	0	7	2	1	0	1
Specific Learning Difficulty (SpLD)	0	0	0	0	0	51	0	4	0	10
Speech, Language and Communication Needs (SLCN)	0	0	0	0	0	37	0	9	0	5
Unknown	0	0	0	0	0	3	0	4	0	8
Visual Impairment (VI)	0	0	0	0	0	1	0	0	0	0
<b>Total</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>297</b>	<b>5</b>	<b>52</b>	<b>1</b>	<b>61</b>

<b>Total number of decisions in each category of SEN</b>	
Autistic Spectrum Disorder (ASD)	<b>284</b>
Behaviour, Emotional and Social Difficulty (BESD)	<b>105</b>
Hearing Impairment (HI)	<b>31</b>
Moderate Learning Difficulty (MLD)	<b>55</b>
Multi Sensory Impairment (MSI)	<b>0</b>
Other (OTH)	<b>0</b>
Physical Disability (PD)	<b>41</b>
Profound and Multiple Learning Difficulty (PMLD)	<b>20</b>
Severe Learning Difficulty (SLD)	<b>24</b>
Specific Learning Difficulty (SpLD)	<b>157</b>



Speech, Language and Communication Needs (SLCN)	<b>94</b>
Unknown	<b>55</b>
Visual Impairment (VI)	<b>6</b>
<b>Total</b>	<b>872</b>

- |   |   |
|---|---|
| A Dismiss appeal  | L Upheld part 2, dismiss part 3                         |
| B Order LA to make and maintain a statement             | M Upheld part 2, dismisses parts 3 & 4 of the statement |
| C Remit case to LA to consider                          | N Upheld part 3 dismiss part 2                          |
| D Order LA to continue to maintain a statement          | O Upheld parts 3, dismiss parts 2 & 4                   |
| E Order LA to cease to maintain a statement             | P Upheld 3 & 4, dismiss part 2                          |
| F Order LA to name parent's preferred school            | Q Upheld 2, 3 & 4 of the statement                      |
| G Order LA to make an assessment                        | R Upheld part 4, dismiss parts 2 & 3 of the statement   |
| H Order LA to make a reassessment                       | S Upheld part 4 of the statement                        |
| I Order LA to change school named                       | T Upheld parts 2 & 4, dismissed part 3                  |
| J Upheld parts 2 & 3                                    | U Appeal struck out                                     |
| K Upheld parts 2 & 3, dismissed part 4 of the statement |   |

### 1.10 Outcome of appeals - Schools

The following tables show appeals with decisions where a school placement was a factor during the appeal. **See key below**

	A	B	C	D	E	F	G	H	I	J
<b>Mainstream School</b>										
Community	6	0	0	0	0	1	3	0	0	1
Foundation	1	0	0	0	0	1	2	0	0	0
Independent	0	0	0	0	0	0	4	0	0	0
Academies	0	0	0	0	0	0	0	0	0	0
<b>Special Schools</b>										
Community Special	8	0	0	0	0	1	9	0	1	1
Foundation Special	1	0	0	0	0	1	0	0	0	0
NMSS	8	0	0	0	0	1	28	0	0	0
Independent Special	4	0	0	0	0	1	28	0	0	2
Other	0	0	0	0	0	2	1	0	0	0
Home Tuition - Lovaas	0	0	0	0	0	0	1	0	0	0
Home Tuition - Other	1	0	0	0	0	0	1	0	0	0
<b>Total</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>77</b>	<b>0</b>	<b>1</b>	<b>4</b>

	K	L	M	N	O	P
<b>Mainstream School</b>						
Community	22	0	0	7	4	0
Foundation	10	0	0	8	7	0
Independent	15	0	0	6	1	0
Academies	0	0	0	0	0	0
<b>Special Schools</b>						
Community Special	46	0	1	19	12	0
Foundation Special	2	0	1	1	0	0
NMSS	54	0	2	3	1	0
Independent Special	133	1	1	14	7	0
Other	18	0	0	2	4	0
Home Tuition - Lovaas	0	0	0	0	0	0
Home Tuition - Other	7	0	0	1	0	0
<b>Total</b>	<b>307</b>	<b>1</b>	<b>5</b>	<b>61</b>	<b>36</b>	<b>0</b>

<b>Total in each category of school</b>	
<b>Mainstream School</b>	
Community	<b>44</b>
Foundation	<b>29</b>
Independent	<b>26</b>
Academies	<b>0</b>
<b>Special Schools</b>	
Community Special	<b>98</b>
Foundation Special	<b>6</b>
NMSS	<b>97</b>
Independent Special	<b>191</b>
Other	<b>27</b>
Home Tuition - Lovaas	<b>1</b>
Home Tuition - Other	<b>10</b>
<b>Total</b>	<b>529</b>

	A	B	C	D	E	F	G	H	I	J
Autistic Spectrum Disorder (ASD)	6	0	0	0	0	4	27	0	1	3
Behaviour, Emotional and Social Difficulty (BESD)	4	0	0	0	0	2	6	0	0	0
Hearing Impairment (HI)	0	0	0	0	0	0	6	0	0	0
Moderate Learning Difficulty (MLD)	6	0	0	0	0	0	7	0	0	1
Multi Sensory Impairment (MSI)	0	0	0	0	0	0	0	0	0	0
Other (OTH)	0	0	0	0	0	0	0	0	0	0
Physical Disability (PD)	1	0	0	0	0	0	6	0	0	0
Profound and Multiple Learning Difficulty (PMLD)	0	0	0	0	0	1	5	0	0	0
Severe Learning Difficulty (SLD)	2	0	0	0	0	0	2	0	0	0
Specific Learning Difficulty (SpLD)	4	0	0	0	0	1	12	0	0	0
Speech, Language and Communication Needs (SLCN)	4	0	0	0	0	0	5	0	0	0
Unknown	2	0	0	0	0	0	0	0	0	0
Visual Impairment (VI)	0	0	0	0	0	0	1	0	0	0
<b>Total</b>	<b>29</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>77</b>	<b>0</b>	<b>0</b>	<b>4</b>

	K	L	M	N	O	P
Autistic Spectrum Disorder (ASD)	133	1	1	19	9	0
Behaviour, Emotional and Social Difficulty (BESD)	23	0	1	8	10	0
Hearing Impairment (HI)	17	0	0	0	0	0
Moderate Learning Difficulty (MLD)	7	0	0	10	1	0
Multi Sensory Impairment (MSI)	0	0	0	0	0	0
Other (OTH)	0	0	0	0	0	0
Physical Disability (PD)	12	0	0	2	1	0
Profound and Multiple Learning Difficulty (PMLD)	9	0	1	2	1	0
Severe Learning Difficulty (SLD)	6	0	2	1	1	0
Specific Learning Difficulty (SpLD)	54	0	0	3	7	0
Speech, Language and Communication Needs (SLCN)	42	0	0	12	2	0
Unknown	4	0	0	4	4	0
Visual Impairment (VI)	0	0	0	0	0	0
<b>Total</b>	<b>307</b>	<b>0</b>	<b>5</b>	<b>61</b>	<b>36</b>	<b>0</b>

<b>Total by SEN</b>	
Autistic Spectrum Disorder (ASD)	<b>204</b>
Behaviour, Emotional and Social Difficulty (BESD)	<b>54</b>
Hearing Impairment (HI)	<b>23</b>
Moderate Learning Difficulty (MLD)	<b>32</b>
Multi Sensory Impairment (MSI)	<b>0</b>
Other (OTH)	<b>0</b>
Physical Disability (PD)	<b>22</b>
Profound and Multiple Learning Difficulty (PMLD)	<b>19</b>
Severe Learning Difficulty (SLD)	<b>14</b>
Specific Learning Difficulty (SpLD)	<b>81</b>
Speech, Language and Communication Needs (SLCN)	<b>65</b>
Unknown	<b>14</b>
Visual Impairment (VI)	<b>1</b>
<b>Total</b>	<b>529</b>

A Dismiss appeal

B Order LA to change school named statement

C Order LA to make and maintain statement

D Order LA to continue to maintain a statement

E Order LA to cease to maintain a statement

F Upheld parts 2 & 3, of the statement

G Upheld part 2, dismiss part 3

H Upheld part 2, dismisses parts 3 & 4

I Upheld parts 3, dismiss parts 2 & 4

J Upheld parts 3 & 4, dismiss part 2

K Upheld parts 2, 3 & 4 of the statement

L Upheld parts 2 & 4, dismissed part 3

M Upheld part 4, dismisses parts 2 & 3 of the

N Upheld part 4 of the statement

O Appeal struck out

P Order LA to name parent's preferred school

## 1.11 Ethnic Origin

The following table shows a breakdown of a child's ethnic origin as stated on the appeal form.

	2007-2008	2006-2007
Bangladeshi	4	5
Black African	57	30
Black Caribbean	54	56
Black – Other	35	33
Chinese	12	6
Indian	35	27
Pakistani	42	35
White	2203	1920
Other	148	100
Not completed	802	898
<b>Total</b>	<b>3392</b>	<b>3110</b>

## 1.12 Representation

The following shows how many parents and LAs were represented legally at hearings and the number of those parents using legal and other representatives throughout the appeal process.

	2007-2008	2006-2007
<b>Legal representative at hearing</b>		
Parents	22%	23%
LEA	17%	10%
<b>Other representative at hearing</b>		
Parents	25%	29%
<b>Legal representative through appeal process</b>		
Parents	16%	18%
<b>Voluntary representative through appeal process</b>		
Parents	5%	5%

## 1.13 High Court Appeals

These figures show the number of new appeals lodged and the appeals decided this year.

	2007-2008	2006-2007
<b>Appeals Lodged</b>		
Parents	17	35
LEA	3	7
<b>Total</b>	<b>20</b>	<b>42</b>
<b>Disposal</b>		
Withdrawn	11	12
Dismissed	2	3
Out of time	0	0
Successful	1	0
Referred Back	5	10
<b>Total</b>	<b>19</b>	<b>25</b>

The outcome of appeals referred back to the Tribunal by the Court was:

	2007-2008	2006-2007
Previous decision confirmed (or substantially confirmed)	0	2
Parents withdrew	0	0
Previous decision set aside	0	4
Pending	6	4
<b>Total</b>	<b>6</b>	<b>10</b>

## 2. Disability Discrimination Claims

### 2.1 Speed of Disposal

The following table shows the number of claims that have had a decision and the average time it has taken from registration to decision

Decisions Issued 2007-2008	Number Issued	Average number of months	Decisions Issued 2006-2007	Number Issued	Average number of months
Sep – Nov	18	5.6	Sep – Nov	19	5.4
Dec – Feb	19	5.2	Dec – Feb	19	5.9
Mar – May	22	5.7	Mar – May	22	5.7
Jun – Aug	25	6.1	Jun – Aug	25	5.7
<b>Total</b>	<b>84</b>	<b>5.7</b>		<b>85</b>	<b>5.7</b>

### 2.2 Volume of Work

The proportion of registered claims relating to boys was **74%** and girls **26%** (2006-2007 ratio **79%** boys: **21%** girls).

The following table shows the total number of claims received and registered in the last two years.

Year	07/08	06/07
Received	180	165
Registered	145	115
Withdrawn	37	38
Decided	80	84

### 2.3 Disposal of Claims

The following table shows the number of decided claims during the last two years.

	07/08	06/07
Decided	80	79
Struck Out	4	5
Total	84	84

## 2.4 Types of Claim

The following table shows a breakdown of the type of claims we registered during the year

Types of claim	2007-2008	% of total	2006-2007	% of total
Child's admission to a school	10	7	8	7
Child's permanent exclusion from school	7	5	1	1
Child's temporary exclusion from school	54	37	41	36
Other issues to do with education and associated services	74	51	65	57
<b>Total claims registered</b>	<b>145</b>		<b>115</b>	

## 2.5 Nature of Disability

The following table shows a breakdown of the type of disability for claims we registered during the year.

Nature of Disability	2007-2008	% of total	2006-2007	% of total
Ability to learn	111	77	91	79
Ability to lift	2	1	0	0
Continence	1	1	1	1
Eyesight	4	3	4	3
Hearing	1	1	0	0
Manual dexterity	0	0	1	1
Memory	0	0	0	0
Mental health problem	1	1	1	1
Mobility	11	8	11	10
Perception of risk	0	0	0	0
Physical co-ordination	10	7	2	2
Progressive illness	2	1	2	2
Severe disfigurement	0	0	0	0
Speech	2	1	2	2
<b>Total claims registered</b>	<b>145</b>		<b>115</b>	

## 2.6 Outcome of Claims - General

The following tables show the number of claims decided (either upheld or dismissed) or withdrawn by type of claim.

Decisions issued 07/08	Decided	%	Withdrawn	%	Total
Another issue with child's education	39	58	28	42	<b>67</b>
Child's admission to a school	6	67	3	33	<b>9</b>
Child's permanent exclusion from school	4	80	1	20	<b>5</b>
Child's temporary exclusion from school	32	71	13	29	<b>45</b>
<b>Totals</b>	<b>81</b>	<b>64</b>	<b>45</b>	<b>36</b>	<b>126</b>

Decisions issued 06/07	Decided	%	Withdrawn	%	Total
Another issue with child's education	54	79	14	21	<b>68</b>
Child's admission to a school	4	67	2	33	<b>6</b>
Child's permanent exclusion from school	1	100	0	0	<b>1</b>
Child's temporary exclusion from school	25	66	13	34	<b>38</b>
<b>Totals</b>	<b>84</b>	<b>74</b>	<b>29</b>	<b>26</b>	<b>113</b>

## 2.7 Outcome of Claims - Decided

The following tables show the number of claims either upheld or dismissed by type of claim.

Decisions issued 07/08	Upheld	%	Dismissed	%	Total
Another issue with child's education	20	51	19	49	<b>39</b>
Child's admission to a school	1	17	5	83	<b>6</b>
Child's permanent exclusion from school	1	25	3	75	<b>4</b>
Child's temporary exclusion from school	22	69	10	31	<b>32</b>
	<b>44</b>	<b>54</b>	<b>38</b>	<b>46</b>	<b>82</b>



Decisions issued 06/07	Upheld	%	Dismissed	%	<b>Total</b>
Another issue with child's education	20	37	34	63	<b>54</b>
Child's admission to a school	2	50	2	50	<b>4</b>
Child's permanent exclusion from school	0	0	1	100	<b>1</b>
Child's temporary exclusion from school	14	56	11	44	<b>25</b>
<b>Totals</b>	<b>36</b>	<b>43</b>	<b>48</b>	<b>57</b>	<b>84</b>

## 2.8 Ethnic Origin

The following table shows a breakdown of a child's ethnic origin as stated on the claim form.

	<b>2007-2008</b>	<b>2006-2007</b>
Bangladeshi	0	0
Black African	0	1
Black Caribbean	2	3
Black – Other	2	1
Chinese	0	1
Indian	0	2
Pakistani	0	0
White	101	79
Other	5	4
Not completed	35	24
<b>Total</b>	<b>145</b>	<b>115</b>

## 2.9 Representation

The following shows how many parents and Responsible Bodies were represented legally at hearings and the number of those parents using legal and other representatives throughout the claims process.

	<b>2007-2008</b>	<b>2006-2007</b>
<b>Legal representative at hearing</b>		
Parents	8%	17%
RB	41%	57%
<b>Other representative at hearing</b>		
Parents	29%	36%
<b>Legal representative through claim process</b>		
Parents	19%	17%
<b>Voluntary representative through claim process</b>		
Parents	7%	10%

## 2.10 High Court Appeals

These figures show the number of new appeals lodged and the appeals decided this year.

	2007-2008	2006-2007
<b>Appeals Lodged</b>		
Parents	4	4
RB	2	1
<b>Total</b>	<b>6</b>	<b>5</b>
<b>Disposal</b>		
Withdrawn	0	1
Dismissed	0	0
Out of time	0	0
Successful	0	0
Referred Back	0	0
<b>Total</b>	<b>0</b>	<b>1</b>

There were no appeals referred back to the Tribunal by the Court in the period of this report.

## 3 Appendices

### 3.1 Appendix 1 – Appeals Registered

This table gives the number of appeals registered against each local authority.

It is unlikely that every registered appeal will result in a hearing and a decision by the Tribunal, because may be withdrawn or conceded before reaching that stage.

	1/9/07- 31/8/08 No. of Appeals	Per 10,000 of school population	1/9/06- 31/8/07 No. of Appeals	Per 10,000 of school population
Barking and Dagenham	7	2.26	7	2.21
Barnet	39	8.45	40	8.40
Barnsley	10	3.04	8	2.36
Bath and North East Somerset	6	2.34	9	3.61
Bedfordshire	27	4.17	15	2.35
Bexley	36	9.15	37	9.06
Birmingham	71	4.03	83	4.70
Blackburn	0	0.00	5	1.97
Blackpool	3	1.41	1	0.48
Bolton	6	1.33	5	1.10
Bournemouth	3	1.42	4	1.97
Bracknell Forest	6	3.86	3	1.98
Bradford	14	1.65	21	2.37
Brent	6	1.48	8	1.91
Brighton and Hove	23	7.46	9	3.00
Bristol, City of	51	10.93	49	10.29
Bromley	71	14.69	87	18.77
Buckinghamshire	35	4.51	26	3.43
Bury	7	2.50	9	3.20
Calderdale	12	3.49	16	4.69
Cambridgeshire	39	4.84	27	3.47
Camden	25	11.13	17	7.79
Cheshire	29	2.78	27	2.68
Cornwall	12	1.63	12	1.67
Coventry	5	1.02	3	0.61
Croydon	66	13.29	62	12.15
Cumbria	16	2.12	17	2.26
Darlington	0	0.00	0	0.00
Derby	13	3.44	10	2.53
Derbyshire	19	1.67	16	1.41
Devon	31	3.13	38	3.92
Doncaster	5	1.07	16	3.29
Dorset	10	1.74	17	3.07
Dudley	7	1.43	11	2.24
Durham	45	6.12	30	3.99
Ealing	21	4.98	15	3.39
East Riding of Yorkshire	18	3.59	9	1.82
East Sussex	49	7.33	66	10.26
Enfield	48	9.51	31	6.18
Essex	191	9.35	179	8.96
Gateshead	0	0.00	4	1.37
Gloucestershire	50	5.66	25	2.96
Greenwich	19	5.29	11	2.98
Hackney	22	8.73	23	8.85
Halton	3	1.58	0	0.00
Hammersmith and Fulham	15	9.15	21	12.15
Hampshire	118	6.62	115	6.74
Haringey	21	6.22	14	3.98
Harrow	18	6.13	19	6.54

Hartlepool	1	0.66	0	0.00
Havering	0	0.00	4	1.11
Herefordshire	8	3.35	3	1.30
Hertfordshire	98	5.61	70	3.98
Hillingdon	11	2.67	11	2.54
Hounslow	14	3.91	15	4.14
Isle of Wight	17	8.68	10	5.29
Isles of Scilly	0	0.00	0	0.00
Islington	14	6.22	8	3.55
Kensington and Chelsea	7	6.28	7	6.41
Kent	152	6.99	133	6.23
Kingston upon Thames	17	4.60	11	5.09
Kingston Upon Hull, City of	12	5.56	15	3.98
Kirklees	16	2.54	13	2.06
Knowsley	5	2.10	5	2.02
Lambeth	32	10.95	44	14.68
Lancashire	76	4.40	43	2.54
Leeds	17	1.59	13	1.19
Leicester	20	4.33	27	5.80
Leicestershire	33	3.35	74	7.80
Lewisham	43	13.00	52	14.55
Lincolnshire	69	6.57	65	6.34
Liverpool	21	3.09	28	3.95
Luton	3	0.96	3	0.95
Manchester	41	6.49	24	3.64
Medway	30	6.77	23	5.35
Merton	22	10.03	15	6.29
Middlesbrough	14	7.43	8	3.44
Milton Keynes	11	2.87	8	2.14
Newcastle upon Tyne	1	0.27	5	1.34
Newham	19	3.94	23	4.58
Norfolk	46	4.03	56	5.00
North East Lincolnshire	15	6.03	13	5.21
North Lincolnshire	3	1.22	2	0.81
North Somerset	23	7.87	16	5.68
North Tyneside	7	2.39	8	2.64
North Yorkshire	27	3.08	26	3.01
Northamptonshire	12	1.14	25	2.37
Northumberland	7	1.44	4	0.81
Nottingham	9	2.47	7	1.79
Nottinghamshire	26	2.21	30	2.53
Oldham	6	1.51	6	1.50
Oxfordshire	17	1.97	15	1.75
Peterborough	9	3.09	8	2.75
Plymouth	8	2.05	9	2.36
Poole	4	2.03	8	4.18
Portsmouth	10	3.98	9	3.73
Reading	2	1.21	9	5.39
Redbridge	35	7.66	28	6.09
Redcar and Cleveland	2	0.90	5	2.16
Richmond upon Thames	12	5.76	18	8.85
Rochdale	5	1.49	5	1.47
Rotherham	22	5.01	19	4.30
Rutland	0	0.00	0	0.00
Salford	15	4.89	9	2.85
Sandwell	9	1.86	4	0.80
Sefton	12	2.77	7	1.60
Sheffield	55	7.58	35	4.70
Shropshire	16	3.95	17	4.30
Slough	11	5.15	7	3.19
Solihull	15	4.44	9	2.44

Somerset	38	5.25	27	3.91
South Gloucestershire	14	3.43	13	3.23
South Tyneside	3	1.34	2	0.87
Southampton	25	8.74	23	8.32
Southend-on-Sea	21	7.61	10	3.69
Southwark	37	12.11	37	10.09
St. Helens	1	0.37	3	1.10
Staffordshire	20	1.58	17	1.36
Stockport	14	3.56	9	2.25
Stockton-on-Tees	6	2.06	1	0.33
Stoke-on-Trent	10	2.85	19	5.31
Suffolk	56	5.50	53	5.29
Sunderland	1	0.23	10	2.29
Surrey	157	10.82	125	8.86
Sutton	11	3.48	23	7.26
Swindon	8	2.76	4	1.38
Tameside	12	3.41	18	5.05
Telford and Wrekin	6	2.35	3	1.10
Thurrock	6	2.68	7	3.04
Torbay	1	0.52	2	1.05
Tower Hamlets	3	0.81	12	3.16
Trafford	18	5.09	10	2.80
Wakefield	7	1.42	9	1.77
Walsall	10	2.16	14	2.88
Waltham Forest	23	6.45	15	4.08
Wandsworth	40	13.61	30	10.02
Warrington	3	0.94	5	1.57
Warwickshire	15	1.92	10	1.31
West Berkshire	7	2.76	10	3.97
West Sussex	99	9.14	56	5.37
Westminster	6	3.30	10	5.02
Wigan	2	0.42	4	0.85
Wiltshire	52	7.64	23	3.53
Windsor and Maidenhead	6	3.04	9	4.69
Wirral	6	1.17	7	1.38
Wokingham	7	2.93	5	2.14
Wolverhampton	3	0.76	4	0.99
Worcestershire	25	3.09	15	1.90
York	3	1.24	5	2.11
<b>England</b>	<b>3,394</b>	<b>4.50</b>	<b>3,110</b>	<b>4.11</b>

### 3.2 Appendix 2a - Chairs

Chairs who have presided over tribunals in the year 2007-2008

John Akers	Roxanne Eban	Melanie Lewis	Sarah Slater
Judith Allright	Humphrey Forrest	Andrew Lockley	Anne Spratling
Tony Askham	Yvette Genn	Jane Lom	Linda Strowger
Joanne Astbury	Patricia Gore	Catherine Mather	Meleri Tudur
Charlotte Beatson	Liz Goldthorpe	Liz May	Heather Vassie
Laurence Bennett	Maureen Grenville	Jacqueline	David Wall
Kieran Bond	Joanna Hall	Mcintosh	Richard White
Stephen Bowden	Jean Hare	Celia Morris	Jane Williamson
Angela Bowen	Basil Herwald	Simon Oliver	David Wolfe
Jennifer Buckle	Mark Hinchliffe	Helen Parry	
Diane Burleigh	Rosemary Hughes	Simon Pearl	
Sally Capper	Stewart Hunter	John Reddish	
Angela Clarke	Alun James	Susan Rees	
Michael Coxon	Mary Kane	Margaret Richards	
Anthony Davies	Stephen Knapp	Helen Rimington	
Marian Davies	Beverley Lang	Corrairie Sadd	
Michael Dorsey		Michael Sherwin	
		Michael Simon	

### 3.3 Appendix 2b – lay Members

Lay members who sat on tribunals in the year 2007-2008

Alison Adams	Ruth Fawcett	Helen Miller	Judith Wade
Roger Baker	Andrew Fordham	Gordon Mott	David Waite
Germaine Ballinger	David Fryer	Heather Murdoch	David Walder
David Barber	Pru Fuller MBE	Michael Nedd	Norman Watling
Jill Barraclough	Janice Funnell	John Parrott	Margaret Williams
Robin Bartlett	Christine Gilder	David Parry	Andrew Wilson
Richard Beeden	Jennifer Goodwin	Michael	Judith Wilson
Beryl Bennett	Phillippa Grace	Partington	Eleanor Wintersgill
Sandra Boyle	Gavin Graveson	Sylvia Phillips	Hanid Zagzoule
Malcolm Bray	Raj Gupta	Kay Pierce	
David Braybrook	Dorothy Hadleigh	Ian Pollard	
Susan Briggs	David Haigh	Joan Pritchard	
David Brown	Anne-Marie Hall	Ron Radley	
Clare Buckingham	Lesley Handford	Linda Redford	
John Burdess	Robert Hart	Heather Reid	
Bridget Cameron	John Hickson	Jean Richardson	
Ray Cardinal	Sheila Higgins	Pam Richardson	
Peter Cates	Maureen Hine	Kay Rider	
Robert Chadwick	Anne Holding	Sue Ridgway	
Ken Chapman	Dorothy Horsford	Richard Rieser	
Derek Cheetham	Ann Hunt	Michael Rose	
Indrani Choudhury	Anwar Hussain	Lindsey Rousseau	
Anne Clarke	David Johnstone	Jackie Scruton	
Anne Collins	Patricia Kennedy	John Sheppard	
Helen Cook	Ann Kerr	Sian Siencyn	
David Cook	Claire Lazarus	Jane Sinson	
Glennis Copnall	Stephanie Lorenz	Sheila Smith	
Graham Cranmer	Derek Lucas	Geoffrey Snowdon	
Margaret Davies	Jenny Maddick	Jennie Sparkes	
Margaret Diamond	Kerena Marchant	Margaret Stinton	
Michael Donovan	Ronald Marks	Ann Stockburn	
Katrina Doves	Chris Marshall	Michael Stone	
Anne Duffy	Jenny Martin	Ann Tinklepaugh	
John Dunford	Marilyn Martin	Keith Tottman	
Christine Emerson	Carol May		
Sandra Ernstoff	Valerie McCartney		
Heddwyn Evans	Barry McCormick OBE		
Joan Farrelly			