

Katherine Anderson

Year of Call: 2005

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Education

Katherine is an experienced education law specialist with a particular interest in special educational needs. She is familiar with the issues that may arise in relation to mental capacity in education cases.

She accepts instructions from local authorities, schools, parents, young people, students and universities, as well as employers/employees in the education sector, in relation to:

- Appeals and claims before the First-tier Tribunal (Special Educational Needs and Disability)
- School admissions
- School exclusions
- Equality Act 2010 claims in the civil courts
- Judicial review
- Employment tribunal proceedings (see also Katherine's [Employment law profile](#)).

Recent cases:

Katherine has acted in many complex cases concerning special educational, health and social care for post-16 and post-19 year olds in Education and Health and Care plans, including under the National Trial.

She has recently acted in appeals to the Upper Tribunal regarding the special educational provision for a physically disabled child with a fluctuating health condition, and regarding the interrelationship between the social care and special educational provision in an EHC plan for a young person over 19 years of age.

Other recent cases have involved disputes around:

- Educational negligence
- Home education of a child for medical reasons
- Special educational provision for children outside of the normal school day
- The level of therapeutic provision reasonably required to meet a child's special educational needs
- Sensory profiles as special educational provision
- Disability discrimination – school exclusions
- Disability discrimination – failure to make reasonable adjustments
- Disability discrimination claims against universities by students who were required to withdraw from their courses.

Katherine also provides training in education law to a variety of different audiences, including local authorities, solicitors,

university student advisors, lay panel members and educational experts.

She is herself a parent of young children.

Reported Case:

RB v Calderdale MBC (SEN): [2018] UKUT 390 (AAC)

Articles

[Katherine Anderson](#) gives an update on the amendments to the Equality Act 2010, in which the purpose of the regulations is to reproduce in domestic law certain interpretive effects of retained EU law which, under the Retained EU Law (Revocation and Reform) Act 2023, would otherwise cease to apply in the UK after the end of 2023.

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[Katherine Anderson](#) considers the appeal A Multi Academy Trust v RR [2024] UKUT 9 (AAC), in which the issues around the application of the test in section 20(3) of the Equality Act 2010 as modified by schedule 13, particularly in its application to special schools.

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[Katherine Anderson](#) reviews the appeal of London Borough Camden v KT [2024] UKUT 225 (AAC), in which Upper Tribunal Judge Jacobs analysed the legal position when a parent consents to the special educational provision in their child's EHCP being arranged in the family home.

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3PB experienced education law specialist [Katherine Anderson](#) summarises the case Re a Teacher (Rule 14 Order) which concerns the Upper Tribunal's power to protect the confidentiality of certain proceedings.

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3PB experienced education law specialist [Katherine Anderson](#) summarises the recent case JJ & EE v Buckinghamshire Council which concerned the Tribunal's approach to costs. This was an appeal to the Upper Tribunal arising out of parents' unsuccessful application to the First-tier Tribunal for a costs order against the local authority in a special education needs case.

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Katherine Anderson considers DB v Academy Transformation Trust (SEND) [2022] UKUT 66 (AAC) in which the Upper Tribunal held that the First-Tier Tribunal (SEND) has no power to stay a permanent exclusion decision pending the final hearing of a disability discrimination claim and considered First-tier and Upper Tribunal powers to regulate procedures or decisions outwith their own procedures.

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Katherine Anderson considers DB v Academy Transformation Trust (SEND) [2022] UKUT 66 (AAC) in which the Upper Tribunal held that the First-Tier Tribunal (SEND) has no power to stay a permanent exclusion decision pending the final hearing of a disability discrimination claim and considered First-tier and Upper Tribunal powers to regulate procedures or decisions outwith their own procedures.

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3PB's specialist education law barrister Katherine Anderson reviews how the New National Restrictions to control the spread of Coronavirus (COVID19) impact education and school attendance.

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3PB's Katherine Anderson reviews the case of AB v University of XYZ. Legal representation and cross-examination in university disciplinary proceedings and specific performance as a remedy.

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Council wins Judicial Review challenge to academy order

Katherine Anderson reviews Somerset County Council v Secretary of State for Education [2020] EWHC 1675 (Admin).

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Recommendations

Katherine Anderson is a strong advocate who enjoys a varied caseload which covers employment and education law. She is active in discrimination claims and EAT appeals.

Strengths: "Katherine was very helpful. I would recommend Katherine to colleagues."

"Katherine is a very skilled advocate with substantial legal analytical skills."

"Katherine's very responsive; she provided particularly useful written submissions, and gave helpful advice in relation to strategy."

Chambers UK 2024/Employment/Western Bar

Strengths: "She is diligent and has great attention to detail."

"She is technically excellent and a great advocate."

Chambers UK 2023/Employment/Western Bar

Strengths: "She has excellent attention to detail on difficult cases and responds extremely promptly." "She is diligent and has very great attention to detail. We consider her a very technically adept lawyer, who can really drive down into conflicting case law."

Chambers UK 2022/Employment/Western Bar

Strengths: "She is extremely thorough and detailed in her preparation and advice. She is meticulous in her attention to detail and excellent for complex cases."

Chambers UK 2021/Employment/Western Bar

'Katherine is forensic in her approach. She looks at all angles and considers all options. A very diligent advocate.'

Legal 500 2024/Education/Leading Junior/London Bar

'Katherine is extremely bright, client-friendly and meticulous in her preparation and written work.'

Legal 500 2023/Education/Leading Junior/London Bar

'Katherine has a wealth of experience in SEND appeals and is very thorough in her approach; she is a robust advocate and her preparation is always meticulous.'

Legal 500 2022/Education/Leading Junior/London Bar

'Highly intelligent, thorough in her work and is a tenacious barrister.'

Legal 500 2021/Education/Leading Individual/London Bar

Academic qualifications

- Cambridge University, United Kingdom

- Harvard University, United States
- Postgraduate Diploma in Law at City University
- Bar Vocational Course at BPP School of Law (Outstanding)

Scholarships

- Inner Temple Exhibition

Professional qualifications & appointments

- Accredited Mediation Advocate

Professional bodies

- Employment Law Bar Association (ELBA)