

Appeals timetable for admission to primary and secondary schools in September 2018

Secondary school appeals

- Allocation letters sent to parents - 1 March 2018.
- Deadline for parents to submit appeal - 29 March 2018.
- Appeals received by deadline date to be heard within 40 school days - 18 June 2018.
- Last appeal date in summer term - week beginning 23 or 30 July 2018.

For late applications, appeals will be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of receipt.

Before you can lodge an appeal, you will have received a letter explaining why it was not possible to offer your child a place at your preferred school(s). Depending on the type of appeal, this will be because your child did not rank as high within the admissions criteria as those who had been offered places or the year group was full at the time of your application.

Before any appeal takes place, the relevant year group will be full and no places are 'reserved' for children who are successful at appeal. Therefore the independent appeals panel are looking for exceptional reasons why your child should be given a place at the school. Any upheld appeal will result in the year group being over the recommended limit which could have health and safety implications and a harmful effect on the teaching and learning of all pupils in the year group.

What happens when I have submitted my appeal form?

Step 1

Your completed form and any supporting documents will be sent to the Clerk to the Independent Appeals Panel who will arrange your appeal to be heard within 30 school days of receipt. For appeals made in the normal admissions round, appeals will be heard within 40 school days of the deadline for lodging appeals. If you would like us to acknowledge the receipt of your appeal form, you can send us a stamped addressed envelope with your form.

Step 2

No later than 10 school days before the hearing, the clerk will send you a letter giving you the date, time and place of the appeal hearing together with names of the panel members. The letter will also include a deadline date for the submission of any further evidence that you did not send with your appeal form. Any evidence that you wish to submit after this date may not be considered at the appeal hearing.

Step 3

Around five to seven days before the hearing, you will receive case papers from the Local Authority or school governors (these may be sent by the Local Authority on the school governors behalf) summarising how places at the school were initially allocated and why your child was not allocated to the school of your preference. The papers will also explain why the admission of an additional

child will cause “prejudice to the provision of efficient education or efficient use of resources” (if applicable). If the Local Authority or school governors are refusing to allocate a place to your child because of the statutory limit on the size of infant classes, this will also be explained.

The Appeals Panel meets during term time to consider appeals. Normally no meetings are arranged in school holidays.

Who will be at the appeal?

You should try to attend the hearing if at all possible. The appeals panel will get a better idea of your case if they can meet you and ask you questions. Alternatively, you may send someone to represent you if you are unable to attend or you may wish to bring someone to the hearing to help you.

If you choose not to attend the hearing, the panel will make a decision on the basis of the written evidence you have provided and the statement given at the hearing by the Local Authority officer or school representative giving the reasons why your child was not allocated to the school.

The appeal hearing follows a set procedure. You may feel the meeting is very structured, as the Chair will be strict on who can speak and when questions can be asked. The Chair will always conduct the meeting in a friendly way and guide you through the whole meeting. You will always have the opportunity to say everything you wish, ask any questions and sum up your case. All the people at the appeal hearing will treat your appeal in the strictest confidence.

The following people will be in the room:

1. A panel of three people, including lay persons, that is people without personal experience in the management or provision of education in any school (other than as a governor or in a voluntary capacity), and people with educational experience in the Local Authority area, or who are parents of registered students at school. These people are acting independently of the Local Authority or school governors and have no connection with the school for which you are appealing or the school that your child has been allocated. These are the people who will make the decision about your appeal.
2. A clerk from Legal and Democratic Services who is there to assist on procedure, to advise the panel and to take notes of the proceedings.
3. A representative from the Local Authority or school to explain why a place at your preferred school has not been allocated to your child. The representative may be accompanied by the headteacher of the school or his/her representative to answer questions.

The Local Authority or school representative will start first and present the reasons for not allocating a place for your child. You may then ask him/her questions and you may challenge any statement he/she makes, for example the maximum number of children to be admitted to the school or the effect on the provision of efficient education or efficient use of resources if any more children were admitted to the school.

You will then be able to give the reasons for wanting your child to go to your preferred school and if you are accompanied by a relative or friend, they may also help you. The panel and Local Authority or school representative may then ask you questions about these reasons.

How does the panel make a decision?

In making their decision, the panel follows a two stage process. Firstly they have to decide whether the Local Authority or school governors' admission arrangements complied with the mandatory requirements of the School Admissions Code or the School Standards and Framework Act 1998 and if they were correctly applied in your child's case. If it is clear your child would have been offered a place had the admission arrangements been properly followed or did not contravene the mandatory provisions in the School Admissions Code or the School Standards and Framework Act 1998, the panel must uphold the appeal, except where a significant number of children are affected and their admission would cause serious problems.

The panel then have to decide whether the admission authority has made out the case that no more children can be admitted to the school as this would cause 'prejudice to the provision of efficient education or efficient use of resources. These are the actual words used in the legislation that covers schools admissions and appeals.

1. If the answer is no, the admission authority has not demonstrated that prejudice would be caused and in the case of a single appeal, the panel will uphold your appeal. This means that the panel agrees that your child should have a place. In the case of block appeals for the same school, the panel will decide whether all the appellants' children could be admitted without prejudice to the school. If the panel determines that the school could not cope with that number of successful appeals, the panel will compare all the appeal cases and decide which of them to uphold on the basis of the admission criteria and the individual circumstances of each appeal.
2. If the answer is yes, it means the Local Authority or school governors have proved their case and no places are allocated at this stage. The panel then moves to the second stage of the process. They will examine each parent's case to decide whether the reasons put forward are sufficient to outweigh the degree of prejudice caused to the school. If the panel agrees that the parent's case is sufficiently strong and outweighs the Local Authority or school governors' case, they will uphold, that is agree, with the appeal for a place.

The panel makes a decision on your appeal in private, which means no parents, Local Authority or school representative will be present. The clerk will be present but has no involvement in the decision making process. He/she will be there purely to assist the panel on matters of evidence or procedure and to record the decision.

If my appeal is refused can I appeal again?

If you are unsuccessful in the appeal, a second appeal will not be considered for that academic year unless there has been a significant change in your circumstances, for example, if you move house to a different area. If a second appeal is granted, it will be scheduled to be heard within 30 school days.