

ADMISSION APPEALS - NOTES OF GUIDANCE

As a parent/carer you have the right to appeal to an Independent Appeal Panel against a decision to refuse your child a place at your preferred school(s). NB in order to lodge an appeal you must have submitted an application and be in receipt of a written refusal.

The Appleton School has to convene an Independent Appeal Panel to hear appeals against the refusal of a place at the school.

What is an Independent Appeal Panel?

An Independent Appeal Panel consists of three (or five people); at least one of whom should have experience in educational matters. The members of the panel should have no connection with the school, or the parents, nor should they have been involved in the admission process.

One of the panel will be the chairperson who will ensure that the proceedings are conducted in a fair and proper manner, striking the balance between formality and informality. The panel will have a clerk who will take notes and advise on points of law. The clerk will ensure the panel has all the relevant paperwork before the hearing, including your application form and any letters you have sent or been sent.

Attendance at the Hearing

Wherever possible the appeal hearings will be heard in the local area and/or via Zoom.

You are encouraged to attend the appeal hearing to put to the panel your case for wanting a place at the school. This will allow you to expand on your written statement and will allow you and the panel members to ask questions. The grounds of your appeal are your opportunity to explain why you believe your child should gain a place at the school, despite the year group being full and all places being filled by applicants who were ranked higher against the oversubscription criteria.

If you choose not to attend the appeal hearing, it will continue in your absence, based on any written statement you have made. If you have made arrangements to attend the hearing, but fail to attend without a reasonable explanation, the panel is likely to hear the case in your absence. Hearings are only adjourned in exceptional circumstances.

You may wish someone else to attend the hearing in your place, or in addition to yourself. This may be a friend or family member. You may wish to be legally represented but you will be responsible for any costs associated with this. If you choose to be legally represented, then the Appleton School may also have a legal representative.

The Hearing and the Decision

The Appleton School will put their case for refusing admission first. The panel and you (or your representative) can ask questions of the school's case for refusal.

You will then be asked to present your case and you can be asked questions by the panel and the Appleton School. Both parties are then given the opportunity to summarise their cases.

There can be a large number of appeals for popular schools. In this situation, the Appleton School will present its case to all the parents at the same time. At this presentation, no questions about individual cases will be allowed as they will be addressed at the individual hearings. The individual hearings will take place approximately one week later if there was an evening presentation, or later the same day if it is a day presentation.

Once the presentations are completed, both you and the Appleton School representatives will be asked to leave. **A decision will not be given on the day of the hearing.** Once the decision has been made, it will be sent to you, and the Appleton School, at the same time. This decision is legally binding on all parties. Where there are a large number of appeals over many days, you will not receive a decision until after all the individual cases have been heard.

The panel's decision is taken in two stages. Firstly, it must be satisfied that the admissions policy of the school is lawful and has been applied correctly in the case in question and that further admissions to the school would result in prejudice to the efficient education or the efficient use of resources. This is usually done after hearing all the evidence from the parents and the Appleton School. However, if there has been a presentation of the Appleton School's case to a number of parents at the same time the panel may reach a provisional view at that point before hearing all the parent's cases.

If the panel decide that the Appleton School has not made out a case for prejudice it must do two things. It must decide at what number of admitted pupils such prejudice would arise and then it must consider the admission criteria and other factors and admit children from those appealing up to that number. Only then will the panel carry out the second stage of the process.

If the Panel is satisfied that any further admission would result in prejudice then it must go on to balance this prejudice against the reasons for the individual parents' preference. The panel must decide whether the parents' case for their child to attend the school outweighs the prejudice caused by admitting additional pupils.

Further Information

To find out more information about independent appeal panels and the appeals process, the Department for Education and Skills publishes the School Admission Appeals Code of Practice which provides further details. A copy may be obtained from the Appleton School website which also contains other information you may find helpful when appealing.

How to Appeal

If you wish to appeal against the refusal of a place, you will need to contact the school on 01268 794215 or via email info@theappletonschool.org