

ADMISSIONS APPEAL ARRANGEMENTS

Appeals Information for Parents

It is the policy of ALPT to comply with parental preference for a particular school wherever possible. Each school has a Published Admission Number (PAN) – the number of pupils allowed in any year group. Pupils should not be admitted above the published number unless exceptional circumstances apply. Admission over the PAN would usually only be by way of appeal. Appeals may be subject to 'Infant Class Size Legislation'. (See below.) In cases when a school has reached its capacity and we are unable to offer a place, applicants may appeal against this decision.

Infant Class Size Legislation

Section 1 of the School Standards and Framework Act 1998 limits the size of an infant class (i.e. a class in which the majority of children will reach the age of 5, 6 or 7 during the school year) to 30 pupils with a single school teacher. This means that appeal panels can only uphold appeals in very limited circumstances. (*Section 2.15 of the School Admission Appeals Code Dec 2014.*)

How to appeal

Your appeal should be made in writing to the Chair of Governors, using the ALP Appeal Form (Annex A), giving details of your reasons for appeal within 14 days (10 working days) of receiving the refusal letter; otherwise you may lose your right of appeal.

The ALP sets its own Admission Policy and has delegated responsibility, for arranging a hearing for appeals against refusal to the school you have applied to, to the Local Authority. The Local Authority will make arrangements for a Local Appeal Committee to convene to hear your appeal and you will be informed of these arrangements. Guidance on the Appeal Process are detailed in Annex B.

Re-appeal

Each application is only valid for the school year being applied for. Parents may wish to re-apply for entry into a school for subsequent years and should submit a new preference form in the autumn term. Only one application for a particular year group in a particular year and one appeal per year is permissible.

Appellants do not have the right to a second appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the admission authority accepts a second application because of a significant and marked change in the circumstances of the parent, child or school

Further Guidance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf

Annex A - Appeal Form

Annex B - Guidance Notes for Appeal Process

ALP APPEAL FORM

All parts of this form should be completed. Failure to complete any section will result in the form being returned to you which will delay the date of your appeal.

Please send completed form to: Mr C Smith, Chair of Governors, School Appeals, Bothal Primary School, High Market, Ashington, NE63 8NT.

1.	I have expressed a preference for Primary School and am appealing against the decision of the ALP Admissions Authority.			
2.	Present or last school attended:			
	Date left / due to leave:		Year group applied for:	
	Reason for transfer:			
3.	The child's name is Surname: (BLOCK CAPITALS)		Forenames:	
	Male / Female:		D.O.B.	
4.	My name is:	Mr / Mrs / Ms	<i>(please delete as appropriate)</i>	
	(BLOCK CAPITALS) Forename:		Surname:	
	Parent / Guardian:	<i>If you are the guardian of the child and not the parent please provide evidence of guardianship</i>		
	My home address is :			
	Daytime telephone no:		Mobile:	
5.	The exact date I wish the child to be admitted to the chosen school is:			
6. a)	I wish to put my case to the Appeal Panel myself (or with my spouse/partner):			YES / NO
b)	I wish to put my case to the Appeal Panel myself and would like to be accompanied by a friend (please state relationship):			YES / NO
c)	I wish my representative to put my case to the Appeal Panel. (This may be a solicitor or another person you choose – see below).			YES / NO
	The name of my representative is (BLOCK CAPITALS)	Surname:		Forename or initials:
	Relationship:		Landline no:	Mobile:
	His / her address:			

Bearing in mind the importance of maintaining an informal atmosphere, legal representation will not usually be necessary, although parents are free to have such representation if they wish.

Please note that if you do appoint a representative you will be responsible for any costs involved.

IT IS STRONGLY RECOMMENDED THAT YOU ATTEND but, if for some reason you are unable to do so, the Appeal Panel can decide the appeal in your absence on the basis of any written information you may have sent beforehand. **It is therefore important to you to give as much information as possible when completing this form.**

The Admissions Authority will have explained to you the reasons for the decision to refuse your application; you need to give your reasons and explain in full in the space below, why you think the Appeal Panel should agree with you.

Please attach further information and any other documents you wish in support of your case.

Your case for appeal:

Guidance notes for Appeals Process

1. Who are the Appeal Panel?

To deal with appeals a special Appeal Panel will be set up and the Admissions Authority will have to abide by its decisions. The Panel is totally independent and is administered by Northumberland County Council. Members are unpaid volunteers.

The panel members will have had no previous involvement in the decision making process.

The Appeal Panel which will look at your appeal will comprise of three to five members. The intention is that the panel will have a mix of different types of members.

- **Lay members** – people without personal experience in the management of any school or the provision of education in any school (disregarding experience as a school governor or in another voluntary capacity). There must be at least one lay member of the panel.
- **Experienced in education** – people who are acquainted with educational conditions in the Local Authority's area, or who are parents of registered pupils at a school. There must be at least one experienced member of the panel.

2. What happens at the Appeal?

a) **Before the Appeal**

Two weeks or ten working days before the appeal, you will be informed of the date and time of the hearing. This letter will give you a date by which you should send in any further information that may have come to hand since submitting your appeal form.

If you wish to submit any further evidence in support of your appeal, such as medical or educational information, it is your responsibility to ensure that it is attached to the Appeal Form. Please note that ALPT or Northumberland County Council cannot obtain information on your behalf.

One week before the Appeal you will receive a copy of the Admissions Authority's submission which outlines the reasons why your application was refused. You will also receive a copy of your appeal form and any supporting documents. These documents are sent at the same time to the members of the Appeal Panel so that they will have time to read them before your hearing.

b) **At the Appeal**

At the Appeal you will hear from an officer of the Admissions Authority who will explain why your application was refused. This section of the Appeal will deal purely with the numbers of pupils in the school and the arrangements within the school. The Panel Members and you will have an opportunity to ask questions of the officer at this point.

You will then be invited to explain to the Appeal Panel why you believe your appeal should be allowed. The Panel and the Local Authority officer may wish to ask you questions if they need to clarify something you have said. You will also have the opportunity to ask questions.

There are often several appeals heard for the same year group in a particular school on the same day by the same panel. On these occasions all parent/guardians will be present to hear the Admission Authority submission and have the opportunity to ask questions. Following this, parents/guardians are heard individually and in private. Depending on numbers of appeals involved this may mean that the Appeal Panel will have to meet on more than one day.

The Appeal Panel will not make a decision until it has heard all the appeals for that particular year group.

Although the Appeal Panel does have procedures to follow, it does try to keep matters as informal as possible. The aim is to allow every parent/ guardian the opportunity to explain their reasons for appealing. Meetings of the Appeal Panel are strictly private and confidential and you should feel free to inform the panel of any personal circumstances that you consider important to your case.

The Appeal Panel will then consider your appeal taking into account all the information it has heard and will come to its decision.

The clerk of the Appeal Panel is in attendance at all times to offer advice to all parties on procedure and the law. The clerk will record the decision of the hearing and the reasons for it.

c) After the Appeal

You will be informed of the Appeal Panel's decision in writing as soon as is practicably possible.

The decision of the Appeal Panel is binding on the Admissions Authority and the school and, if your appeal is successful, your child will be able to attend the school immediately.

3. What are my Rights?

The Appeal Panel will know the Admissions Authority/ Governing Body have a duty to comply with the preference you have expressed, unless one of the exceptions mentioned in section 86 of the School Standards and Framework Act 1998 applies.

The Panel will be told that the Trust representative must satisfy them that one or more of the exceptions, applies. The Appeal Panel must give careful consideration to the points you are making and decide whether your case is strong enough to allow your child to be admitted to the school of your choice.

4. Do I Have to Attend the Appeal Panel in Person?

We strongly recommend that you and/or your spouse/partner attend the Appeal Panel hearing.

If you inform the Children's Services that you wish to attend the appeal and then do not come to the appeal, the panel can decide your appeal in your absence on the basis of any written information you may have sent beforehand.

If you wish to have your appeal considered by way of written representation please provide as much information as possible.

If you wish to submit any evidence in support of your appeal i.e. medical, educational, etc, it is your responsibility to ensure that the evidence is attached to the **appeal form**, or is submitted in time for inclusion in the appeal documentation (approximately 10 days prior to the appeal hearing). If the evidence is not submitted the Panel may make a decision in its absence.

5. How do I make my case to the Appeal Panel?

Members of the Appeal Panel will receive a copy of your appeal along with copies of anything you send to support your case. In this way the Appeal Panel will know why you are appealing. You ought to bear in mind the following points.

- a) The Appeal Panel will know nothing about your particular circumstances. It is up to you to put forward all your points now, even though you may have covered them before with the Admissions Authority.
- b) It is important that you should include all your reasons for appeal in your written statement.
- c) In the case of a number of appeals for the same school and year group the Appeal Panel may decide not to allow all the appeals. In this case the Appeal Panel will have to make some difficult choices between individual children. You should therefore cover any points that you feel will convince the Appeal Panel to allow your appeal. It is for you to help the Appeal Panel to know about the factors which might make your case special.

6. Where do I send my form?

Please complete the Appeal Form in full, sign it (keep the guidance notes to remind you of what the Appeal will involve) and send the completed Appeal Form as soon as possible to:

**Mr Chris Smith
Chair of Governors
School Appeals
Bothal Primary School
High Market
Ashington
NE63 8NT**

7. Further Advice and Information

If you would like any further advice or information relating to any aspect of the Appeal please do not hesitate to contact the Admissions Officer at the School you have applied for or the School Admissions Team at County Hall.

**Bothal Primary School
High Market
Ashington
Northumberland NE63 8NT**

**Central Primary School
Third Avenue
Ashington
Northumberland NE63 9BE**

**School Admissions Team
Children Services
Northumberland County Council
County Hall
Morpeth
Northumberland NE61 2EF**