

School Admission Appeals: Information for Parents and Carers

Introduction

If your application has been refused by the admission authority for any school you have the right to appeal against this decision to an Independent School Admissions Appeals Panel. All admission authorities must make arrangements for appeals to be heard in accordance with the appropriate legislation and the School Admissions Appeals Code. This booklet will give you information regarding the appeals process, how to make your appeal and what to expect during the process. If you have any queries about an appeal your first step should be to contact the admission authority of the school you are appealing for.

Admission Authorities in Halton

The following table details the admission authorities in Halton, who are responsible for the appeals process for the school:

School Type	Admission Authority
Community or Voluntary Controlled	Halton Local Authority
Voluntary Aided	School Governing Body
Academy	Academy Trust/Governing Body

Details regarding the *School Type* can be found within the local authority's composite primary or secondary admissions prospectus, which are produced each academic year and available online at www.halton.gov.uk/schooladmissions

How to appeal

Halton Local Authority provides an Appeals Form which all schools are advised to adopt for the purposes of providing parents/carers with an opportunity to formally appeal. These forms are available on [the appeals web page](#) of Halton's website and paper copies can be obtained from any of the Halton Direct Link Offices. You can also request an Appeals Form by emailing schooladmissions@halton.gov.uk

Parents/carers are advised to check the admissions policy of their preferred school (s) regarding details of how to appeal (available on the school's website). Details of how to appeal will also be provided within your decision letter, in response to your formal application.

Please note: If you wish to appeal for a place at Saints Peter and Paul Catholic High you **must** contact LACE on 0151 522 1071 to discuss the process and request an appeals form. Local Authority appeals forms will not be accepted as a formal request to appeal.

Unless advised otherwise, parents/carers should return their completed Appeals Form to the School Admissions Team in Halton. The form can be emailed to schooladmissions@halton.gov.uk, returned to any of our Halton Direct Link Offices where you will receive a receipt to confirm that you have submitted it or by post to the address at the bottom of the Appeals Form.

Your appeal will then be submitted to the appropriate admission authority and they are then responsible for setting the appeal up within the published timescales for appeal.

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Timescale for appeals

In-year Transfer applications

Appeals for children refused a place at a preferred school as a result of an in year transfer application should be heard **within 30 school days* of the appeal being received**.

Normal Admissions Rounds applications

Appeals for children refused a place at a preferred school for admission to Year 7, Reception or Junior School in the September intake each year will be heard **within 40 school days of the deadline for appealing**. This deadline is normally 20 school days from the date of parents/carers being notified of their school place offer, and this is detailed annually on [the appeals web page](#) of the local authority's website.

No priority is given to an appeal based upon the date it was received but it's important that you submit your appeal before the advertised deadline. Appeals received after this deadline may not be heard within this block of appeals, but should be heard within 30 school days* of the appeal being received where possible. Block appeals for secondary schools are normally heard throughout May and June, with primary and junior school block appeals being heard through June and July.

General things to expect

The Clerk to the Independent School Admissions Appeal Panel will:

- notify parents/carers of the date and venue of the appeal at least 10 school days* before the hearing, inviting them to attend and identifying what category your appeal falls under;
- send a copy of the school's statement/case to each parent/carer at a reasonable time before the hearing;
- provide parents/carers with details of where to submit any additional written evidence along with a deadline by which they should do so to ensure that the Panel considers it;
- and liaise with parents/carers regarding any queries about the appeal hearing.
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Infant Class Size Appeals

Before going to your appeal the Clerk will identify whether your appeal is an infant class size appeal or not. Infant class size appeals refer to an appeal where the parent/carer has requested a place in an infant class (in which the majority of children will reach the age of 5, 6 or 7 during the school year) and the admission of their child to that class would exceed 30 pupils per school teacher. There are very limited circumstances under which an admission authority can breach infant class size regulations, and details of these *excepted* children can be found under paragraph 2.16 of the [School Admissions Code](#). For this reason, independent school admissions appeals panels are limited to when they can uphold an infant class size appeal to where:

- they find that the admissions arrangements were not correctly and impartially applied;
- they find that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case

*Appeals timelines do not account for weekends, bank holidays or school holiday periods

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The Local Government and Social Care Ombudsman has produced [a fact sheet](#) on their website regarding infant class size appeals which you may find useful when considering whether or not to proceed with this type of appeal.

Who will be present at the appeal hearing

Along with the Clerk, there will be two to five members of the Independent School Admissions Appeal Panel, comprising a Chairperson and at least two other independent members. At least one of these members will have experience in education and one will be a lay member (meaning that they have no personal experience in the management of a school or the provision of education in any school). These members are all volunteers and will be completely independent of the local authority and admission authority.

The school you are appealing for will send a Presenting Officer, who will present the case as to why the school is unable to offer a place to your child and will answer questions on behalf of the admission authority.

You are strongly advised to attend the appeal hearing as this will ensure that your case is delivered as you wish it to be so and will enable the Panel to ask you any relevant questions that may help them in coming to a decision. You can bring someone along to support you or to deliver your case on your behalf, if you do not feel that you can do so yourself.

What happens at the appeal hearing

Although appeal hearings are part of the legal system and follow set procedures they are relatively informal. The Chairperson will introduce the Panel and welcome you all before providing a brief explanation of the proceedings. The Clerk will remain with the Panel at all times and will document the hearing and provide relevant procedural advice to the Panel where required.

The admission authority will present their case as to why the admission of your child, or the children of all appellants where there are multiple appeals, will prejudice the provision of efficient education or the efficient use of resources at the school. The Panel may have some questions for the Presenting Officer and parents/carers will also be giving the opportunity to question them regarding what they have just presented, and they will then sum up their case. The Panel may take a brief interval to consider the case made by the admission authority and will then proceed as follows:

- the Panel finds that the admission authority **has not** made a case that prejudice would occur. The Panel will then either:
 - uphold the appeal (find in the appellants favour) and make an offer of a place at the school at that point;
 - or proceed to the parent case where there are multiple appeals and the admission of all of those children would cause prejudice in the opinion of the Panel;
- the Panel finds that the admission authority **has** made a case that prejudice would occur. The Panel will then proceed to the parent case;
- or if the Panel decide not to break at this point then they will proceed straight to the parent case.

Where the Panel proceed to the parent case the parent/carer will be invited to present their case as to why the prejudice to their child in not being admitted to the school outweighs the prejudice that the school would face if they were to admit the child. The Panel and the Presenting Officer will have the opportunity

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to question the parent/carer regarding their case and the parent/carer will then be offered the opportunity to sum up their case.

The Chairperson will then ask if all parties have had an opportunity to say what they wanted to say and will then close proceedings.

Outcome of the appeal hearing

Once all appeals for the school have been heard the Panel will consider all information provided and vote on the outcomes of each appeal. The Clerk will remain with the Panel to take notes and offer procedural advice where required and the Clerk will write to you regarding the outcome of your appeal within 5 school days of the decision being made.

If your appeal is successful, the Clerk will advise the admission authority of this decision and request that they make contact with you at the earliest opportunity to arrange a start date for your child.

If your appeal is unsuccessful, the Clerk will explain in the Panel's decision letter why the Panel were unable to uphold your appeal. Your child should then remain on the roll of their current school or you should proceed with the arrangements for them to start at their offered school. If you wish to consider alternative schools you can contact the School Admissions Team in Halton by emailing schooladmissions@halton.gov.uk

The Panel's decision is binding on all parties, meaning that an admission authority must admit your child to their school where the Panel upholds your appeal, or that you are unable to appeal again for the same school within the same academic year unless there has been a significant and material change in your circumstances. If you believe that there has been such a change in circumstances then you would need to contact the admission authority as the decision regarding whether or not they will offer you a further appeal within the same academic year lies with the admission authority.

What can you do if you are unhappy with the Appeal Panel's decision

Where you are unhappy with the administration of the appeal you can make a complaint to the following agencies to investigate maladministration on your behalf:

School Type	Agency dealing with complaints
Community or Voluntary Controlled	Local Government & Social Care Ombudsman
Voluntary Aided	Local Government & Social Care Ombudsman
Academy	Education & Skills Funding Agency

This complaints process is not a further appeal and should not be used simply because you disagree with the Panel's decision.

The **Local Government & Social Care Ombudsman** has produced [a fact sheet](#) for parents/carers who are considering making a complaint about an independent school admission appeal panel for local authority

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maintained schools. Once you've considered this you can complete their [online complaint form](#) or contact them on 0300 061 0614 for help making a complaint.

The **Education & Skills Funding Agency (ESFA)** has produced [a fact sheet](#) for parents/carers who are considering making a complaint about an academy independent admission appeal panel. You can create an account and complete their [online complaint form](#) or contact them to request a paper copy of the form by completing their [online contact form](#).