

IMPORTANT INFORMATION
INFANT CLASS SIZE ADMISSION APPEALS PROCESS
(FOR RECEPTION, YEAR 1 AND YEAR 2 PUPILS)

This guidance is for information purposes to assist you in deciding whether you would wish to lodge an appeal when Infant Class Size applies.

You have the right to appeal; however, there are **very limited** grounds on which an Appeal Panel can allow additional children into an infant class. This guidance provides further details in respect of those grounds to enable you to make an informed decision as to whether you would wish to appeal.

For an Appeal to have a chance of being successful evidence would need to be provided which met with one of the following conditions (further details below):

- A. Infant Class Size not applicable;**
- B. Unreasonableness; or**
- C. An error or mistake.**

In the event you are not able to produce any evidence or information relating to these conditions then you may wish to consider whether you have sufficient grounds to proceed with an Appeal, as the **Appeal Panel must only allow an Infant Class Size Appeal if at least one of these conditions is met.**

A. Infant Class Size not applicable

Explanation: By law, **the school cannot admit more than 30 pupils in one infant class** where there is only one qualified teacher. There are very limited exceptions to this rule such as multiple births (e.g. twins) and armed forces children moving in-year. For a full list please see the School Admission Code

<https://www.gov.uk/government/publications/school-admissions-code--2>

Why a parent/carer might consider an appeal application on these grounds:

A parent/carer is appealing because they believe /or have evidence that the school's Infant Class has not reached the limit of 30 pupils being taught by 1 qualified class teacher.

- DOES THIS APPLY TO YOUR APPEAL CASE AND WHY? YES/NO**
- WHAT EVIDENCE DO YOU HAVE TO SUPPORT YOUR CASE TO PUT BEFORE THE APPEAL PANEL?**

B. Unreasonableness

Explanation: Many parents/carers believe that the decision to refuse a place is unreasonable and present information that they believe validates this position. Unfortunately, what they tend to rely on is the dictionary definition of unreasonableness, however, the **Appeal Panel are required to use the legal definition**, as set out in the School Admission Code 2021

The Appeal Panel has to consider a higher threshold and needs to be satisfied that the decision to refuse to admit the child, with the information provided at the time of the decision supplied by the parent/carers, **was perverse in the light of the admission arrangements i.e. it was beyond the range of responses open to a reasonable decision maker.**

- **DOES THIS APPLY TO YOUR APPEAL CASE AND WHY? YES/NO**
- **WHAT EVIDENCE DO YOU HAVE TO SUPPORT YOUR CASE TO PUT BEFORE THE APPEAL PANEL**

C. An Error or Mistake

Explanation: This means that you believe that the Admission Authority has made a mistake in carrying out the admission administration process for your child with the information that you have provided to them before the deadline dates and before the offer of places was decided upon. Further it would need to be evidenced that the child would have received a place had the error/mistake not occurred e.g. if there had been a mistake with the distance calculation would your child have been offered a place had the calculation been carried out correctly.

Why a parent/carer might appeal on these grounds:

The child's application form and information provided by the parent/carer before the application deadline dates have not been considered correctly by the Admission Authority resulting in the child not obtaining a place.

Please Note: The independent Appeal Panel will be unable to take into consideration any fresh information that you may submit which was not available to the Admission Authority when it reached its original decision on offers of places.

- **DOES THIS APPLY TO YOUR APPEAL CASE AND WHY? YES/NO**
- **WHAT EVIDENCE DO YOU HAVE TO SUPPORT YOUR CASE TO PUT BEFORE THE APPEAL PANEL**

You may wish to contact the Admissions Team for the latest vacancies which are updated on a daily basis. Please contact school admission by emailing schooladmissions@halton.gov.uk