



SCHOOL ADMISSION APPEALS – A GUIDE FOR PARENTS

Finham Park School
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Introduction

We understand that going through the appeal process can be a worrying and anxious time for you and we hope that the information contained in this guide will simplify the process for you. It will take you through the process and explain what happens at each point and what you need to do.

Your Rights

You have the right to appeal for places at all schools for which you have applied and been refused a place. This right of appeal does not apply if your child has been permanently excluded from two or more schools. If your child has a Statement of Special Educational Needs your appeal needs to be directed to the First Tier Tribunal which has responsibility for SEN.

You can only appeal once in every academic year unless there has been a significant and material change in you or your child's circumstances or those of the school. If this is the case, you need to reapply for a place at the school and be refused before you can appeal. You can only appeal for the year group for which you have been refused.

Where to send your appeal form

We cannot be held responsible for forms that do not arrive on time; that are lost in the post; that are sent or delivered to other locations.

Your completed form should be marked "Private and Confidential" and returned to the School Admission Appeals Officer at the relevant school.

Appeals and Deadlines

On-time intake or transfer appeals

These are where your child is entering secondary education and where we have received your appeal form on or prior to the published closing date. These appeals will be heard within 40 school days of the deadline for appeals set out on the website.

Late intake or transfer appeals

These are where your child is entering secondary education and where we have received your appeal form after the published closing date. We will try to hear your appeal with other appeals for that school or, if that is not possible, within 30 days of the appeal being lodged.



In Year appeals

These are where you wish your child to move schools during other times in the academic year. These appeals have no published closing date and are heard within 30 school days of the appeal being lodged.

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Completing the appeal form

If you are appealing for more than one school, you must complete separate forms.

Please take the following information into account when you complete the form:

- Complete the form clearly and ensure that you provide the information requested. If you fail to do so, it may result in a delay in processing your application.
- Your “reasons for appeal” are very important as this tells the Panel about your child’s case. **This section must be completed. If it is not, the form will be returned to you.** Explain, as fully as you can, the reasons why you want your child to attend the school that you have been refused. If you think your application for a place at the school has not been treated correctly or in accordance with the admissions criteria, then you should explain why you think this is the case.
- If there are medical issues involved, it is important that these are supported by written evidence, i.e. doctor’s letter.
- If your case is based on a house move, you should provide written evidence to confirm this. For example, a letter from your solicitor or a copy of your tenancy agreement.
- You may also include other relevant letters, correspondence, reports or documents to support your case.
- Please do not wait until you have all your supporting evidence before you send your form to us as this may delay the processing of your appeal. Supporting evidence can be sent in later and you will be reminded to do so.
- If, for any reason, you do not attend the appeal hearing the Panel will make a decision based upon your written submission.
- Please make sure you sign and date your form.
- Please send the completed form back to the school to which the appeal relates.



What happens next?

- When your completed form is received by the School Appeals Officer it is date-stamped and logged as being received.
- We will identify the date to hear the appeal in accordance with legal timeframes.
- If we have more than one appeal application for the school in question, we will timetable all those appeals to be heard at the same appeal hearing if possible.
- Once we have a date agreed we have to organise an Independent Appeals Panel, a Clerk and a suitable venue.
- We will write to you around 10 school days before the hearing date to advise you of the date, time and venue of your appeal hearing. We try to take into account any days that you may have indicated are inconvenient, but given the numbers of appeals we receive and other factors this may not be possible. Our letter will give you a deadline by which we can accept additional supporting evidence in the office. A deadline is necessary because of our printing deadlines and the fact that we need to send paperwork out to all parties within a statutory timeframe. **If you cannot get your additional supporting evidence to the office by this deadline date, you may take it with you to the appeal hearing - (please take 5 copies). However, please bear in mind that in these circumstances it is up to the Panel to decide whether any material not submitted by the specified deadline is considered. They will take into account its significance and the effect any possible adjournment may have on the hearing.**
- We will write to you again about 7 days before the hearing date. Our letter will include all the paperwork necessary for the hearing to take place. It will include your form and any supporting evidence; the school's case; a list of the panel members, clerk, presenting officer from the admission authority. This paperwork is also sent to the admission authority, school, panel and clerk. If you know any of the panel members listed there may be a conflict of interest, please contact the School Appeals Officer immediately to discuss.
- If you have indicated on your form that you **will be** attending the appeal hearing and you subsequently find that you cannot, please let the office know. If you fail to attend when you have indicated that you will and we have not heard from you, the Panel will consider your written case in your absence.
- If you have indicated on your form that you **will not be** attending the appeal





hearing and you subsequently find that you can, please let the school know so that we do not deviate from the agreed timetabling.

- If you have agreed to waive your rights to 10 school days' notice of your appeal hearing date, this means that there may be a possibility of hearing your appeal earlier than otherwise possible. This is because timetables are constantly being amended due to appeals being withdrawn or settled and it may be possible to add other appellants to a timetable.

Who will be at the appeal hearing?

- You and the person you have indicated you wish to bring along for support.
- If you cannot attend, your representative if you have indicated you will send one.
- 3 Panel members.
- The clerk.
- A presenting officer from the school in question.

On occasion there may be an observer at the hearing. This may be somebody who is in training as a clerk or panel member. They will take no part in the hearing or the decision making.

What happens on the day?

- Please arrive at the venue promptly (and preferably 5-10 minutes early) and report to the reception area.
- There may be other parents there appealing for the same school or other schools.
- The Clerk will meet you and will explain what will happen during the appeal hearing. The Clerk will also answer any procedural questions you may have. If you have any additional supporting evidence that you wish the Panel to consider, please hand your 5 copies to the Clerk at this time.
- All parents appealing for the school in question and the school's representative(s) will be invited into the appeal room. The Chair of the Panel will introduce the Panel members and will try to put you at your ease.



Appeals Procedure

- The appeal is in two stages. Stage One deals with the school's case refusing admission. If there is more than one appeal for the school in question, all parents will attend this part of the appeal hearing. The school representative is invited to explain to the Panel why they have had to refuse a place at the school. The panel will check whether a mistake was made in applying the admission arrangements and if the school could take extra pupils without prejudice to the provision of efficient education or the efficient use of resources. They will also consider whether the admission arrangements are lawful and compliant with the School Admissions Code 2012. The Panel then has the opportunity to question the school representative and will invite you (and any other parents) to do the same. If you have any questions regarding the school's case this is the time to address them. Any questions regarding your personal case wait until Stage Two.
- When Stage One is complete, you (and any other parents) and the school representative(s) will be asked to leave the room.
- Once a decision has been made, you (and any other parents) and the school representative(s) will return to the appeal room and the decision will be announced.
- If the decision at Stage One is that the school has not made its case or other errors in the process have been identified, it may be that you are offered a place at this point.
- If the decision at Stage One is that the school has proved its case on all grounds, the appeal hearing goes to Stage Two.
- Stage Two is your own personal and private meeting with the Panel. You will be asked to put your case forward in whichever way you find easiest. You may wish just to highlight the important points of your written case; you may wish to read out your written case or you may wish somebody else to read out your written case.
- The Panel will ask you questions about your case and the school representative may also ask you questions.
- At the end of Stage Two you and the school representative will be asked to leave the room. This is the end of your participation in the appeal hearing. You are now free to leave.
- If there are other parents appealing for the school in question, they will have



their Stage Two hearing.

- When all parents have completed Stage Two, the Clerk returns to the appeal room and the Panel makes its decisions.
- You are not told the outcome of your appeal on the day.

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What happens after the hearing?

- The Clerk has 5 school days from the end of the appeal hearing in which to write to you with the Panel's decision and reasons for their decision. A copy of this letter is sent to the school in question.
- The Panel's decision is binding on all parties and cannot be overturned except by a Court where the appellant or admission authority are successful in applying for Judicial Review of that decision.

Further Advice and Complaints Information

For information regarding availability of school places and waiting lists, please contact the Local Authority, Coventry City Council.

The internet is probably the best place to gather further information and we recommend that you begin by visiting the Advisory Centre for Education (ACE) website at www.ace-ed.org.uk or by telephone on 0808 800 5793.

If you want to find out more about the Admission Appeals Code you can visit the Department for Education website to view the code at www.education.gov.uk.

The Education Funding Agency can investigate written complaints about maladministration on the part of a panel hearing appeals. This is not a further right of appeal. Maladministration covers issues such as a failure to follow correct procedures or a failure to act independently or fairly – **not complaints where a person simply feels that the decision taken is wrong.**

The Education Funding Agency may be contacted at:

**Academy Admission Appeals Complaints
Academies Central Unit
Education Funding Agency
8th Floor
Earlsdon Park
Butts Road
Coventry
CV1 3BH**

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