



London Borough
of Hounslow

SCHOOL ADMISSION APPEALS



**A guide for parents/carers who wish to appeal
for a place in a Hounslow school**

School Admission Appeals

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www.hounslow.gov.uk

Why do I need to appeal?

When the year group for your child in the school of your preference has no vacancy, that is when the school has reached its published admission number, it is not possible for the School or the Local Authority to offer you a place. However, by law (under The School Standards and Framework Act) you have the right to appeal for your case to be considered by an Independent Panel.

Please note that you must have applied for the school place through the Admissions Team before you can appeal. The following online publications are produced each year to advise you how to apply:

- Transfer to Secondary School
- Starting School in Hounslow

Please refer to these or contact the Admissions Team for advice on applying.

Who considers the appeal?

Your appeal will be heard by an Independent Panel, consisting of three people drawn from a list of volunteers. These people are often school or parent governors, teachers or other people with an interest in education. However, they will have no personal connection with the schools for which they are hearing appeals and are completely independent of the Admissions Authority. You will be invited to come to a hearing to put your case to the Independent Panel.

When will my appeal be heard?

Appeal hearings generally take place during the day on week days during school term time. We aim to have a few appeal sessions per month, which should be sufficient to meet demand. Your appeal will be scheduled for the next available session after it has been lodged. However, at some times of the year there are exceptional numbers of appeals to be heard and the wait may be a little longer.

For appeals for transfer to secondary school, there can be very large numbers of appeals for individual schools. In these cases, to ensure that everyone is treated equally, the appeals are heard together. This usually means that the same panel will hear appeals for that school over a period of a few days. A similar situation can arise with appeals for

transfer to primary school for reception places.

Where will my appeal be heard?

Normally appeal hearings take place in one of the meeting rooms on the 6th floor at Hounslow House. There will be a designated waiting area outside the room and the Clerk to the Appeal Panel will come to collect you when the Panel are ready to see you.

How much notice will I get of the appeal date?

We normally give you two weeks notice of the appeal hearing and a week before the hearing the Education Authority, or the School in the case of Voluntary Aided Schools, Academies or Free Schools, will write to you to explain why it has not been possible to offer your child a place at the school of your preference.

Sometimes appeals are withdrawn shortly before a hearing because it is possible to offer the child a place. This means that other parents can be offered a hearing at shorter notice, if they are willing to accept this.

Who attends the hearing?

Normally those attending will be the three Independent Panel members, the Clerk to the Panel, and representatives of the Local Authority and/or the School, as well as yourself and any representative you wish to bring.

You do not have to attend the appeal. Some one who is prepared to represent you can attend on your behalf or the appeal can go ahead using the written appeal statement and any supporting paperwork that you have provided. Please indicate on the appeal form if you do not wish to attend the hearing. You will still be notified when the appeal hearing will be in case you change your mind. Equally, if you have indicated that you will attend and you are then unable to, please notify the clerk.

One of the three Panel members will have been elected as Chair to the Panel and will lead the proceedings. The Clerk is there to advise the Panel on procedures and to ensure that the hearing proceeds correctly.

Please feel free to ask the Clerk any questions if you are unsure of the procedures to be followed or what is happening at the hearing.

The Admissions Authority representative is there to explain the reasons why it has not been possible to offer your child a place at the school of your preference. They will also explain what the problems will be for the school if another child were to be admitted in that year group.

What information do I need to supply?

The Appeal Panel makes a decision based on the information they are given by both you and the Admissions Authority.

The better the information they receive, the better their judgement is likely to be. Please supply as much information and evidence as you can to support your case. For example, if you refer to medical problems, a letter from your doctor or hospital is helpful.

Social worker reports or letters of support from the current school may also be relevant in your case. Please let us have this information 5 working days before the hearing so that the Panel have the opportunity to consider it fully. If this is not possible, please bring it with you. The Panel will decide whether to accept additional information presented at the hearing.

I have a disability, is special help available?

The meeting rooms on the 6th floor of Hounslow House are accessible. Please tell us if you have special requirements and we will do our best to meet these. We can provide large print or signers if you ask us in advance of the hearing.

I need help with English

We can provide interpreters, free of charge, if you ask us in advance of the hearing. We can also translate written material if you need this service. Please contact the Clerk to the Appeals Panel for this service.

Can I bring someone with me?

Please do. We encourage all parents to bring a friend, relative or representative who can help you put your case or provide general support. Please advise the Clerk to the Appeals Panel the name(s) of anyone you are bringing with you.

Will the hearing be formal?

The intention is to make the hearing as informal as possible, within the confines of the legislation, which governs School Admission Appeals.

The important thing is that you feel that you have had every opportunity to explain your case.

How long will the hearing take?

We normally allow 30 minutes for each hearing, since experience has shown that generally this is a reasonable amount of time for all sides to put their case. However, this is not prescriptive. Some appeals take a little longer, some a little less time. You will be allowed reasonable time to present your case fully.

What happens at the hearing?

When you enter the room you will be invited to take a seat facing the Appeals Panel of three people. The representative of the Admission Authority and/or the School will be invited to come in at the same time.

The Chair and the Clerk will introduce all the other people present and will explain the proposed order of the hearing.

The usual order is as set out below:

1. The representative(s) of the Admission Authority/School will be asked to put the School's case to the Appeals Panel.
2. The parents/carers and the Appeal Panel may then ask questions of the Admission Authority/School's representative.
3. The parents will be asked to give their reasons for appealing.

4. The Panel and the Admission Authority/School's representative(s) may then ask questions of the parents/carers.
5. The Admission Authority/School's representative(s) will be asked to sum up.
6. The parents/carers are given the opportunity of having the last word.

It is very important that you feel that you have had a fair hearing and the opportunity to provide the Panel with all the evidence you think they need to make an informed decision.

What is the role of the Appeals Panel?

The Appeals Panel has the power to require the school to make an extra place available if they believe this is appropriate in your case. To make this decision there are certain rules the Panel must follow, set out in the School Admission Appeals Code. The rules for appeals for places in Infant School classes are different to the rules for appeals in other classes.

How does the Appeals Panel reach its decision?

For most appeals, the Panel is required to make its decision in two stages. At the first stage the Panel has to consider the school's case alone and to decide whether they feel that there would be 'prejudice to the provision of efficient education and efficient use of resources', that is, would there be a problem for the school if additional pupils were to be admitted to the school.

The Panel must also be satisfied that the published admission arrangements are legal; and that these were correctly applied to your application for a place.

If the Panel decide that there would be no problem (no prejudice) for the school to take extra pupils, the appeal will be upheld at the first stage.

On the other hand, if the Panel accept that there would be prejudice, they move to the second stage. At this stage they look at the individual circumstances of your case and are asked to decide whether on balance the problems you face in not having a place for your child at that school, outweigh the prejudice to the school of admitting additional pupils.

If the Panel decide that your circumstances do outweigh the prejudice to the school, your appeal will be successful. However, if they feel, taking all the points you have raised into

account, that the problem for the school is greater, your appeal will be unsuccessful.

Different rules apply for Infant Class Size appeals where the law seeks to restrict the number of children in each class to 30 pupils with one teacher. For these appeals to be successful, you will need to show:

- The admission of additional children would not breach the Infant Class Size Limit.;
- That the admission arrangements were not legal and were not correctly and impartially applied to your application and that your child would have been offered a place if no error had been made.
- Or that the Admissions Authority had not acted “reasonably” in the circumstances of your case. This is a tough test for which you would need to provide evidence to the Panel.

When will I be notified of the decision?

We aim to write to you with the decision as soon as possible after it has been made. The time does vary. Sometimes an appeal panel will be hearing appeals over several days. The panel makes all their decisions at the same time after they have heard all of the appeals for that school. All parents will be notified of the decisions at the same time, although the day they attended for the hearing will vary.

You will be told at the end of the hearing when you can expect to receive a letter with the decision.

What happens next?

The decision of the independent appeal panel is final and binding on all parties. If your appeal is successful, arrangements will be made via the School for your child to start.

If the appeal is unsuccessful, you have no further right of appeal. You do have the right to complain to the Local Government Ombudsman, but only where you believe there have been faults in the procedure the appeal hearing has followed, not simply because you do not like the decision the Panel has made.

Contacts

School Admission Appeals: 020 8583 3356

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School Admissions: 020 8583 2721/2711

Email: admissions@hounslow.gov.uk

Department for Education (DofE)

www.education.gov.uk

The Advisory Centre for Education (ACE) is a national charity that provides free, independent advice and information to parents and carers on a wide range of school based issues, including admissions and appeals.

Contact details for ACE are:

www.ace-ed.org.uk

General Advice Line - Freephone 0300 0115 142

(Monday to Friday 10am to 1pm)

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