

**APPEALS**

**GENERAL GUIDANCE**

## INTRODUCTION

Admission appeals are heard by a panel called an appeal panel and are held in accordance with the School Admission Appeals Code, October 2022. The appeals panel is independent of the school.

## THE GOVERNORS' DECISION

If you get a letter telling you that the school in question has decided not to offer a place to your child, it should make clear the reasons for this. You should think carefully about whether or not you wish to appeal against this decision. You will need to think about:

- the school's policy for admitting pupils (published in the school prospectus and available online) and the specific reasons it has given for not admitting your child;
- your reasons for wanting your child to attend the school and the strength of your case; and
- alternative schools available. You may wish to visit them and/or speak to the headteacher.

## HOW DO I MAKE AN APPEAL?

The letter from the governors should say where you should send your notice of appeal and by what date. Your appeal must be in writing.

You should think carefully about the original reasons you gave, if any, for wanting your child to attend the school. You can add more information in the notice of appeal. The appeal panel should have been given copies of your original application form.

You should send copies of any letter or documents, such as medical evidence or evidence of ability, with the statement of your appeal if you wish to use these at the hearing. Or you can send them later to the clerk to be sent round to the appeal panel members before the required deadline. You may produce other documents at the hearing but you should remember that the members of the panel and the governors' representative will not have had time to look at these or think about them. The panel may decide that any late evidence is not admissible if it has no significance or bearing on the matter of the appeal.

If you decide to appeal you will be called "the appellant" in all documents.

## HOW DO I PREPARE FOR THE HEARING?

The clerk to the panel will send you details of the date, time and place where the hearing will be held. The panel may determine that the hearing can be held remotely (via video conferencing or telephone). If held in a physical location, it may or may not be held at the school.

It is important that those able to attend the hearing do so. You may feel nervous or uncertain about attending the hearing, but it is a great help to the panel if you are there in person to put the case for your child.

If you cannot attend, you should let the clerk know in good time. The hearing will be held without you and your case will be heard on the basis of your written statements. The appeal panel will decide the appeal on the strength of your written case.

You should be given plenty of notice of the date and time of the hearing and, in the case of admission appeals, this should be at least school 10 days. At least 5 school days before the hearing you should receive a written statement of the governors' case.

You may wish to have the help or support of someone at the hearing. You can do this and you should let the clerk know before the hearing.

If you need the help of an interpreter or special access because you are disabled, then the clerk should be able to help.

You can call witnesses to help your case. If they cannot attend, they should send a letter to the clerk giving their statement.

All hearings are held in private unless there are special reasons. You do have the right to ask for a private hearing.

**If you are not sure of anything then you can ask for advice from the clerk.**

## WHAT HAPPENS AT THE HEARING?

The panel must have:

- one lay member (who can have no personal experience in managing education except as a school governor at another school, cannot be a teacher, does not work for the school and is not a parent of a child at a school); and
- independent people who have experience in education or know about education in the area (Wirral).

The panel is **independent** of the school and its governors. It must make sure that the hearing is **fair and not biased**.

The clerk is independent of the school and its governors. The clerk is not a member of the panel but is appointed to organise the hearing and take a note of what happens. A clerk can also give advice to the panel.

A representative from the school will be present to present the school's decision not to admit your child and to answer detailed questions about the case being heard and to provide details about the school.

The hearing should be informal and will follow the order of proceeding which the clerk will provide to you before the hearing.

## WHERE CAN I GO FOR FURTHER HELP AND INFORMATION

Both you and the school must accept the decision of the appeal panel. You can only make a second appeal if there is a significant and material change to you, your child's or the school's circumstances.

For further details about the admission appeals process you should consult the Admission Appeals Code 2022.

If you have a complaint about the independent admissions appeal panel process please use the following website:

<https://www.gov.uk/schools-admissions/complain-about-the-appeals-process>