



# **Guide to the Schools' Admission Appeals Procedure**

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This Guide, in conjunction with the Appeals form, is to enable parent/carer(s) to appeal against Healing School's Governing Body decision to refuse their child's admission to Healing School. If you have any answers to, prior to your appeal hearing that are not covered in this guide, you can contact the Healing School Admissions Officer, Lindsey Smith on (01472) 502400.

**If you require any support in preparing for an appeal the Choice Adviser can be contacted on 0800 1830317 or 01472 323099**

This leaflet does not deal with admissions decisions made in respect of pupils who have a statement of special educational needs. In these cases parents/carers should contact the SEN Assessment & Review Team on (01472) 323170.

## **INTRODUCTION**

Parents/Carers have been given the opportunity to express a preference as to the school they wish their child to attend. It is the policy of North East Lincolnshire Local Authority and of the Governing Bodies of Voluntary Aided, Foundation Schools and Academies, to meet these preferences where this is possible within the annual published admission number (PAN) set for each primary and secondary school in North East Lincolnshire. Where applications for a school exceed this PAN, then a number of factors are taken into account in deciding which children shall be offered places. These factors are set out in general terms in the Local Authority's publication "Your New School - A Guide for Parents" available from the School Admissions Team.

Where the Local Authority or Governing Body has been unable to offer a school place, parent/carer(s) are given the right to appeal.

If you wish to submit an Admission appeal relating to Healing School – A Specialist Science & Foundation College, you should contact the School Admissions Officer who will send a form for you to complete and return.

### **I have been refused a place at my preferred school. What should I do now?**

You will have been sent a letter from the admission authority which will explain why you have been refused admission to the school of your choice. The letter will explain that you have the right to appeal to an **Independent Appeal Panel**. The letter will have a form with it that you should complete to say you want to appeal. You should include **ALL** the reasons why you wish your child(ren) to attend your preferred school.

## **GROUNDINGS FOR APPEAL**

There are many reasons under which you may wish to appeal. If you are appealing under the admission authority's criteria for admission, you will need to bear the following in mind with regards some of its criteria:-

### **I think there are medical reasons for my appeal, what information should I provide?**

You will need to provide a letter from your family doctor, health visitor or hospital to support your case. If you want the Appeal Panel to consider your case on medical grounds, they will need to know how the medical condition will affect your child while at school.

### **What is a sibling connection?**

Sibling refers to brother or sister, half brother or sister, adopted brother or sister step brother or sister, or the child of the parent/carer's partner, and in every case the child should be living in the same family unit and at the same address and attending the school at the expected time of admission.

### **My appeal is based on a change of address, what information should I provide?**

If you are basing your appeal on the fact that you will be moving into the catchment area of the school of your preference, then you will need to provide documentary evidence (e.g. exchange of contracts) that your change of address is permanent.

**Note: The Admissions Authority will wait for formal evidence of the change of address before arranging an appeal hearing.**

### **HOW TO APPEAL AND TIMETABLE FOR APPEALS**

- (a) The form - Notice of Appeal - should be completed by the parent/carer(s) and sent to the Healing School Admissions Officer, Healing School, Low Road, Grimsby, North East Lincolnshire, DN41 7QD.
- (b) The receipt of the form will be acknowledged by the School Admissions Officer.
- (c) Parents/Carer(s) will subsequently be informed of the time and place of the appeal hearing. Appeals will usually be heard within 30 school days of receipt of the appeal; Secondary Coordination - by 6th July (for on-time applications);
- (d) Not less than 10 days before the hearing, parents /carers will receive a written statement from the School Admissions Officer explaining the application of the admissions policy to the child's case, commenting on the parents' / carers' grounds of appeal and the reasons why it was not possible for the child to be admitted to the school of the parents' / carers' choice.

### **Who would be on an Appeal Panel?**

The appeal panel will normally consist of no more than three members, at least one of which must be a lay member i.e. a person without personal experience in the management of any school or the provision of education in any school. The remaining members will be drawn from a list of ex-teachers, parents / carers of registered pupils at a school or general members of the public. No member will have any direct connection with the school, appellants or the Admissions Authority.

The Chairperson and members of appeals panels are drawn from a list of applicants and appointed by Healing School.

### **Do I need to attend the hearing?**

It is in your best interest to attend the appeal hearing. The panel will be able to check any details that are not clear on your written statement. If you decide not to attend, the panel will make their decision on the information available to them.

### **Can I bring anyone with me to the appeal?**

You can be accompanied by a relative or friend. It is not necessary to bring your children with you, but arrangements will be made to accommodate them, should the need arise. Although it is not necessary for you to be represented by a solicitor, you can be if you wish.

### **What will happen at the Appeal Hearing?**

When you enter the hearing you will be joined by a presenting officer from the Admission Authority who will explain to the Appeal Panel why your child was refused a place at your preferred school.

The Admission Authority's case will be based on a variety of statistical information which will expand on the reasons set out in the Admission Authority's statement, which will be sent to you, at least, seven days in advance of your appeal date. You will have the opportunity to question the presenting officer of the admission authority, as will the panel. If the admission authority's case is accepted then you will be asked to present your case. The panel and/or the presenting officer may then ask you questions for which they need clarification. The hearings are held in private. There will be a Clerk to the Appeal Panel who will take notes and offer legal advice to the panel.

The panel may adjourn the hearing in circumstances where this seems appropriate. Appeals will normally be held in private, but in appropriate cases the panel may arrange to hear more than one appeal in relation to the school at the same time. In this case the Admission Authority may present its general case

and (unless any appellant objects in relation to his/her own appeal) the appeals may be heard in the presence of the other appellants.

In the case of a normal admission appeal the Panel needs to determine whether, on balance, the case put forward by the parent/carer outweighs the case put forward by the Admission Authority.

### **When will I get the result of the Appeal Hearing?**

Decisions will **NOT** be issued on the day of the Appeal Hearing.

You will be asked to contact the School's Admissions Officer, by phone, after 10:00am of the next working day. You will be issued with the relevant details prior to your appeal hearing. The Clerk to the Appeal Panel will then write to you as soon as possible (usually within seven days of the hearing) to tell you the result of your appeal. If you are unsuccessful at appeal, the letter will also state the reasons why you were unsuccessful.

The decision of the appeals panels is binding on the Governing Body.

Where it has not been possible to comply with the parents' / carers' preferred choice of school, the pupil's name will be placed on a waiting list from which casual vacancies at the school may subsequently be filled in accordance with the Admission Authority's published criteria for allocating places.

### **Can I appeal again if I am not satisfied with the result of the hearing?**

The procedure for school admission appeals is aimed at ensuring all parents/carers feel they have had a fair hearing - even when the decision is not in their favour.

If your appeal has been unsuccessful, you will not be able to appeal again for your preferred school until the next academic year or unless there is a 'significant and material change' in your circumstances.

There is no right of appeal against the decision of the Appeal Panel. You can write to the Secretary of State. They cannot review decisions of individual appeal panels but can consider: -

- whether the Admission Authority has correctly constituted the Appeal Panel; and
- whether the Admission Authority has acted reasonably in exercising functions in respect of the appeal process.

If you feel there has been maladministration in the way your appeal has been handled, you can ask the Local Government Ombudsmen to investigate. If they find there has been maladministration that caused injustice, it is likely that they will propose a fresh appeal be heard with a different panel. Both these addresses can be found at the bottom of this guide.

Any party may also have recourse to judicial review. Parents/Carers wanting advice on this should seek their own independent legal advice.

## **USEFUL ADDRESSES**

The Secretary of State, Department for Children, Schools and Families, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT or [www.dcsf.gov.uk/appeals](http://www.dcsf.gov.uk/appeals) .

Commission for Local Administration in England (The Local Government Ombudsmen), Beverley House, Shipton Road, York, YO3 6FZ.

**North Lincolnshire Council**, School Admissions (Tel: 01724 297133), Education Learning and Achievement service, PO Box 35, Hewson House, Station Road, Brigg, North Lincolnshire, DN20 8XJ or [www.northlincs.gov.uk](http://www.northlincs.gov.uk)

**Lincolnshire County Council**, The School Admissions Dept. (Tel: 01522 553212), Children's Services, County Offices, Newland, Lincoln, Lincolnshire, LN1 1YQ or [www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk)

**Your Views and Comments  
About This Leaflet**

Name:.....

Address:.....

When and where did you get this booklet from?

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If you took the booklet from a reception point were the staff helpful?

Yes  No

Was the booklet easy to obtain?

Yes  No

Was the layout of the booklet easy to follow?

Yes  No

Was the information:

Understandable? Yes  No

Useful? Yes  No

Your comments:

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