



# Admission Appeals

Greenfield Primary Academy, Hyde

<b>Description</b>	<b>By whom</b>	<b>Dated</b>
Written	KC	31/01/23
Approved	Board of Trustees	27/02/23



## Appeals

The Harmony Trust academies in Tameside uses the admissions appeals support services from Tameside Council. Their appeals information and processes are all detailed in this policy.

Although most children are able to attend their parents' preferred school, this is not always possible.

In some cases, schools are full to the maximum capacity and admitting extra pupils would be detrimental to efficient education and use of resources. In these circumstances, the admission authority is unable to admit further pupils.

Under the School Standards and Framework Act 1998, if you are refused admission to a school, you have the right to submit an appeal to an Independent Appeals Panel.

If you want to appeal about more than one school that you have applied for and been refused admission to you will need to appeal separately about each decision. However, you may only appeal for any school once each school year unless there has been a significant change in your circumstances.

You can only appeal about a place at a school you have applied for after you have been refused a place in writing.

You can also only appeal for a place that was a higher preference on your original application than the place you have now been given.

Your child has to attend school, so they should take the place they have been offered while your appeal is dealt with.

If your child has been excluded from two or more schools you cannot appeal for two years from the date of the last exclusion.

There are different rules depending on the age of your child.

### **For reception, year one and year two children**

By law, the largest class size for these children is 30. If all the places at your chosen school are already full, then the reasons the appeal panel can allow your appeal are limited to:

- the admission arrangements have not been properly followed or
- the admission criteria are not legal according to the school admissions appeal code or
- the decision to refuse your child a place was not reasonable. You can only appeal for admission of your child to a particular school once a school-year unless there is a major change in circumstances, like you move house

### **For year three and over children**

The appeal panel will look at the impact on your child and family that comes from not being admitted to the school and compare it to the impact on the school and other children in the school if more children are admitted.

You can only appeal for admission of your child to a particular school once a school-year, unless there is a major change in your circumstances, like you move house.





## The appeal hearing

You will receive a letter from Tameside Council inviting you to the hearing at least 10 school days before the date of appeal.

Provisions have been made with the School Admissions Appeals Code to enable meetings to be held remotely.

You should attend the hearing if you can so that the panel can ask you questions. You can also put your questions to the school and Admissions Authority.

If you decide not to attend, the panel will consider your appeal and make a decision without you. If you cannot attend at the time that has been arranged, ensure you get in touch using the information on your letter as soon as you can.

You can allow a representative or friend to attend alongside you and, if you need an interpreter, you can ask for one when you appeal.

Hearings usually last for around 20 minutes to half an hour and we try to keep them as informal as possible. However, there are certain procedures that have to be followed in line with the School Admissions Appeals Code. Full details will be provided to you by Tameside Council.

## Who is at the hearing?

- You and your representative – if you have one
- Your interpreter – if you need one
- The appeals panel
- A clerk to make a record of what happens
- A presenting officer from the admissions authority that made the original decision and possibly a representative from the school

## The decision is based on:

- your appeals form
- any evidence you submit
- an appeals statement for the admission authority that made the original decision and
- any evidence submitted by the presenting officer

## After the appeal hearing

Tameside Council will write to you with the decision no later than five school days after the hearing.

In line with the School Admissions Appeals Code, the outcome will be provided in writing.

## Is there a further appeal?

The decision of the Independent Appeals Panel is final and binding upon the admission authority and you. You cannot appeal twice for a place at the same school in the same school year unless the admission authority accepts that your first appeal was not conducted properly or that there have been significant changes in your circumstances.

If you consider that the Panel did not follow the procedures properly, you can complain to the Education and Skills Funding Agency (ESFA) – any complaints about academy appeal panels are investigated by the ESFA.



Please visit the website for further information [School admissions: Complain about the appeals process - GOV.UK \(www.gov.uk\)](#). If you require a paper form instead contact the ESFA on 0370 000 2288.

If you think that the appeal panel's decision was unlawful or not a decision which a reasonable panel could have reached and you wish to challenge it, the only way of doing so is to apply to the High Court for a judicial review. This must be done as soon as possible and in any event within three months of the date of the panel's decision.

### **Contacts / further information / help**

Contact details for further information are listed below

#### **School Appeals (Democratic Services)**

Phone: 0161 342 2316 or 0161 342 8355

#### **SENDIASS – Special Educational Needs and Disability Information, Advice and Support Service**

SENDIASS provides confidential, impartial information, advice and support to children and young people (aged 0-25 years) with special educational needs and/or disabilities, and their parents and careers, on education matters and health and social care matters in relation to their educations and learning.

Phone: 0161 342 3383

#### **Advisory Centre for Education (ACE)**

ACE is an independent national advice service centre for parents of children in state funded schools. They offer information and advice on education, including school admission appeals.

They can be contacted online via <http://www.ace-ed.org.uk/> website or by telephone on 0300 011 5142.