

School Appeals Guidance

My child has not been offered a place at the school I prefer. What can I do?

Firstly, you should contact the Enfield Schools Admission Service on **020 8379 5501** as staff there will be able to let you know which schools have vacancies, and discuss your options with you.

Where you have been refused a place for your child at a school you have the right of appeal to an independent appeal Panel. You may only appeal if you have submitted a formal application for a place at that school AND you have received a letter confirming that your child has been refused a place.

You should appeal within 20 school days after the date of your refusal letter. Submitting an appeal will not affect a place you have already accepted at another school so you should still accept a school place offered to your child and then, if successful with your appeal, you must tell the school you were originally offered that you no longer require the place.

How do I appeal for a school inside the London Borough of Enfield?

The Local Authority is responsible for the admission arrangements for Community schools. If you would like to appeal for an Academy, Voluntary Aided or Foundation school, you should contact the school directly as they are responsible for their own admission arrangements. The school will then send you their individual appeal form and correspond directly with you.

When proceeding with an appeal, it is important for you to explain why your child should be admitted to the school and send in copies of any letters or documents you intend to refer to at your appeal because the Panel will want to come to a fair decision based on a full understanding of all the evidence.

Once you have submitted your appeal form for a Community school, you will receive an acknowledgement. After this you will only need to contact the School Appeals Service to:

- Cancel your appeal; or
- Amend any contact details already given; or
- Submit by email or post any supplementary paperwork

Can I appeal for places at more than one type of school?

Yes, but what you need to do to lodge an appeal varies according to the type of school you appeal for. As each type of school has a different route of appeal, you will have to follow more than one procedure and make sure you complete the right appeal form for each school. If you are not sure what to do, you can ask at the school, or contact Enfield School Admissions Service.

What happens if I am appealing when my child is transferring from primary to secondary school?

You will be given a deadline to submit your appeal for secondary school transfers. If you miss the deadline given, your appeal may not be heard before the end of the summer term.

How do I appeal for a school outside the London Borough of Enfield?

You need to contact the Local Authority responsible for the school for further information.

What arrangements will be made for the appeal hearing?

Appeals will usually be heard within 30 school days of being lodged and ordinarily you would be given at least 10 school days' notice of where and when your appeal is to be heard. Cases of admission to reception class appeals or secondary transfer appeals are usually heard within 40 school days of the closing date for appeals.

You can be accompanied to the hearing by the child you are appealing a place for; a friend, a relative or a professional representative but it will be at the discretion of the Panel whether or not another person is allowed to speak for you.

If you do not attend you can ask someone else to represent you at the hearing. In all cases where someone is speaking on your behalf, you will need to confirm that they can speak for you and that they have your full authority to do so.

If you have any speech or language difficulties you may bring someone to assist you with the interpretation but this cannot be a child.

Who will be on the Independent Appeal Panel?

There will be three members, and they will be a mixture of lay members, who have no personal experience in the management of the school or the provision of education in any school (except as a school governor or in any other voluntary capacity), and education members, who are people who have experience in education or who are parents of registered pupils at a school. None of the Panel members will have been involved in allocating places to pupils at the school.

How will the appeal hearing be conducted?

Hearings usually take place during the day, but on occasion we may offer you an evening appointment. Appeal hearings are not held during school holiday periods, so any appeals received in mid-late June and July may not be heard until September/October.

The hearing will be in two main parts. The first part will focus on the Admission Authority putting its case for refusing admission to the school, and then the Panel and parents may ask questions about that case for refusal. The second part will focus on parents presenting their child's case and then being asked questions by the Panel and the Admission Authority. Both parties are given the opportunity to summarise their cases.

Sometimes there may be a number of appeals for a popular school and the hearing format will be slightly different. The Admission Authority will present its case to all parents at the same time (known as a 'group presentation'). At this type of presentation, parents and the Panel can ask questions about the information provided by the Local Authority. No questions about an individual child's case will be allowed as these will be addressed later at the child's individual hearing that is held in private.

How will the Panel decide my appeal?

The School Standards and Framework Act 1998 require the Panel to take into account the parent's preference and the Authority's published arrangements for the admission of pupils. The Panel only has the power to either refuse or allow an appeal and they make their consideration in two stages.

At the first stage of the decision making, the Panel must establish the facts and be satisfied that the admissions arrangements of the school have been applied correctly and that the admission of a further pupil or pupils to the school would result in prejudice to efficient education or the efficient use of resources. If the Admission Authority's case has been considered at a group presentation, the Panel will reach a provisional view at that point and must then consider each individual case at the second stage.

The second stage of the decision making process requires the Panel to exercise its discretion to balance the prejudice to the school identified at the first stage against a parent's own individual reasons for wanting a place. The Panel must decide whether the parent's case for their child to attend the school outweighs the prejudice caused by admitting an additional pupil.

What will happen if I do not attend?

If you cannot attend, or decide not to, the Panel is entitled to go ahead and hear the case in your absence, based on the written information you have provided. Hearings are only adjourned to another day in exceptional circumstances.

What does the Clerk to the Panel do?

The job of the Clerk is to act as adviser to the Panel on the School Admission Appeals Code and the procedure that they should follow to ensure that everyone has a fair hearing. They are responsible for ensuring that relevant facts are established and will make a record of the hearing and the Panel's decision. The Clerk remains with the Panel throughout the proceedings but does not take any part in the decision made.

When will I know the result of my appeal?

The decision on your case will not be taken until all the appeals have been heard for the school. The Clerk will write to you to tell you the outcome of your appeal, usually within 5 school days. The decision reached by the Panel is legally binding on all parties and can only be overturned by a court. The only circumstances in which a second appeal can be made during the same academic year are if:

- The Admission Authority agrees to arrange a second appeal because there were procedural / administrative faults in the first appeal which may have significantly affected the outcome; or
- The Admission Authority considers a further application because of a significant and material change in the circumstances of the parent, child or school

Where can I find further information?

If you wish to find out any more detailed information on the appeals process, please refer to the School Admission Appeals Code (February 2012 edition) which is available on the Department for Education website – www.gov.uk then on to the education pages. The Code contains information on the statutory requirements that underpin the appeals process, which you may find helpful in lodging your appeal.

Should you wish to contact the School Appeals Service, you may do so by calling **020 8379 3411/3422** or emailing: sai@enfield.gov.uk.