



ADMISSION APPEALS POLICY

Introduction

At Barnes Academy Trust we endeavour to be fair, reasonable and transparent about any decisions taken with regards to admissions.

The process below explains the appeal process if you are unhappy about the Boards decision regarding the application for a place for your child into our Academy.

Please note that this does not apply to children with a Statement of Special Education Needs (SEN). Appeals for these children are dealt with by the SEN and Disability Tribunal.

If my child is not offered a place at the Academy, can I appeal?

Yes – If your child is not offered a place at our Academy, you have the right to appeal against this decision to an independent appeal panel.

How do I do this?

If you wish to appeal against a decision you would need to request in writing a formal notice of appeal form from the Academy School Office. You will then need to complete the form, outlining your reasons, and return it to the person indicated on the formal notice of appeal form within 20 days from the date your application was unsuccessful.

If it has not been possible to offer a place within our Academy, this information would have been included with your letter.

What happens next?

Appeal hearings are usually held between June and July each year but may still be held up to and during the summer holidays. Appeals in the normal admission round will be heard within 40 school days from the deadline for lodging appeals.

In year admission appeals will be heard within 30 school days of the appeal being lodged. You should complete and return your appeal form as soon as possible to the School Office so that an appeal hearing can be arranged.

You will be notified by the school admissions team of the date of the appeal hearing at least 10 school days prior to the arranged date. If you are unable to attend and it is impossible to offer an alternative date the appeal may still go ahead based on the written information submitted.

A week before the hearing is due to take place, you will receive a copy of the Academy's statement of case. This will explain why it was not possible to offer your child a place at the academy and the implications of more children being admitted above the admissions number.

What happens at the appeal hearing?

You will be invited to attend the appeal hearing. Although there is a process to follow for the appeal hearing, the panel members do try to keep the meeting as informal as possible. It is possible, if you wish to bring along a friend to support you. The panel members are volunteers and are completely independent of our Academy.

As the decision that is made by the panel members is final, it is very important that you take this opportunity to put forward your reasons for wanting a place in this Academy.

The panel will consider the Academy's case against your reasons and make a decision. You will be notified of the panel's decision in writing within five working days of the hearing.

My appeal will be considered under the 'class-size regulation', what does that mean?

If you have been refused a place at our academy, it will be explained in the refusal letter and the statement of case for the appeal, if it will be considered as a 'class-size' appeal.

This means that the appeals panel must consider the implication of admitting another child into a class that already has 30 pupils in Reception, Y1 or Y2. There are only certain circumstances in which an appeal panel can uphold (agree) a 'class-size' appeal. They are as follows:

- i) The admission of additional children would not breach the infant class size; or
- ii) The admission arrangements did not comply with admissions law or were not correctly and impartially applied and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
- iii) The decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

If an appeal was upheld (agreed), the academy would need to take 'qualifying measures'. This could mean either employing another teacher and/or possibly moving to mixed-aged classes.

What if my appeal is successful?

If your appeal is upheld (successful) then you have secured a place in the Academy for your child. Your child's details will be forwarded to the Academy and they will be included in any induction arrangements.

If you have accepted a place at any other school (e.g. second or third preference school), then the offer of a place at our Academy will be cancelled and your child's name will be removed from the Academy's admission list.

What happens if my appeal is unsuccessful?

If your appeal is dismissed (unsuccessful), the decision is final. You will be notified by letter within 5 school days of the hearing. Your child will remain on the waiting list in case any vacancies arise.

It is only possible to have one appeal for the same Academy within the same year group, unless there is a significant change in circumstances. You will be encouraged to consider other schools/Academies for your child, whilst still remaining on the waiting list for our Academy.

What can I do if I'm unhappy about the panel's decision?

There is no further appeal. The letter that you receive explaining the decision of the Appeal Panel will inform you about the limited options that are available.

There is no right of appeal to the Secretary of State for Education. The Secretary of State cannot review or overturn decisions of appeals panels but has a limited power to intervene in very exceptional circumstances. The Secretary of State can investigate written complaints about maladministration in respect of appeal panels for Academies. This is not a right of appeal and must relate to issues such as a failure to follow correct procedures or a failure to act independently, rather than complaints where you simply feel that the wrong decision has been made.

Due to COVID-19, the additional guidance is also relevant to <https://www.gov.uk/government/publications/admission-appeals-for-school-places/coronavirus-covid-19-school-admission-appeals> September 2022.

Policy Revised: February 2022

Reviewed: Annually

At every review, the policy will be approved by the academy trust board.