



HILLINGDON PRIMARY SCHOOL



“We want everyone at Hillingdon Primary School to be happy, caring and independent. Our school is a place where we learn together, doing our best to achieve success.”

ADMISSION APPEAL GUIDANCE FOR PARENTS AND CARERS **Reviewed Jan 2021**

1. Introduction

This guidance has been prepared to assist parents who wish to lodge an appeal because, through the normal operation of the school's admission policy, their child/ren have not been allocated a place at Hillingdon Primary School.

2. Who is responsible for making admission decisions?

Decisions regarding school admissions are made by the Admission Authority, the Elliot Foundation Academies Trust. The LA co-ordinates admissions to Reception, however, the Admission Authority decides whether they can offer a place in the school in accordance with our published admission criteria. We also arrange our own admissions for applications received outside the normal admissions rounds (i.e. in-year applications.)

3. What do I do if I am unhappy with the decision?

If you have not been offered a place for your child at Hillingdon Primary School then you have the right to appeal.

- 3.1. **Nursery Applications:** Nursery places for children are not statutory, so you have no right to appeal against a decision. If your child has not been given a place at our nursery, you should contact the School Office and ask how places have been decided. If you think you have not been fairly treated, you should firstly write to the Principal and if not satisfied you may write to the Admission Authority, explaining why you think the decision is unfair and ask if the decision can be looked at again.

4. How to appeal for a school place

- 4.1. You must make your appeal in writing, using our Admission Appeal Form. A copy can be obtained from the School Office or the School Website.
- 4.2. Appeals against decisions made in the normal Reception admissions round should be made by the deadline specified in the offer from the Local Authority and published on the School Website.
- 4.3. If you fail to lodge your appeal by the published deadline specified in correspondence from the Local Authority or School the appeal may not, in some instances, be heard before your child is expected to start school.

5. Information to be included in your appeal

- 5.1. Think about the reasons given for not allocating your child a place. The Appeals panel can only consider whether or not you meet the Admission Criteria and whether the Admission Authority correctly assessed your application.
- 5.2. Ensure that your case addresses the grounds on which the panel could uphold your appeal. Then:
- explain why you are not satisfied with the decision;
 - say why you think your child should have been given a place;
 - if you think that the governors or LA have overlooked something, tell them about this; and
 - any medical evidence if appropriate.
- 5.3. It is advisable to send all your evidence with the form but if this is not possible **do not delay** sending your notice of appeal form to arrive by the specified deadline.
- 5.4. Any further evidence may be sent later but should be supplied in good time to be copied and shared to all panel members to ensure they have had the time to give due consideration to this evidence.
- 5.5. You may produce other documents at the hearing but be aware an adjournment may be necessary to allow the panel members time to consider new information.

6. Where to send your appeal

Your appeal should be sent to the Operations Manager at:
Hillingdon Primary School,
Uxbridge Road,
Hillingdon,
Middlesex
UB10 0PH

7. What happens next?

- 7.1. When your appeal is received we will write to you and confirm receipt of your appeal within 7 days.
- 7.2. On time appeals will be heard within 40 school days of the published appeal deadline.
- 7.3. In-year appeals and those lodged after the published deadline will be heard within 40 school days of the published deadline or 30 school days from the date the appeal was received by the school.
- 7.4. We will write to you again providing at least 10 days' notice of the date, time, and venue of the appeal hearing, providing details of the Admission Authority's case and copies of your own correspondence with regard to your hearing.

8. Who sits on the Appeal Panel?

- 8.1. The Appeals Panel will have at least three members who will be independent of the Admission Authority and have taken no part in making the original decision on a place for your child. At least one member will have an educational background.
- 8.2. If you think that any member of the panel hearing your appeal is biased (an example would be where you know a person on the panel), you should tell the clerk at the start of the hearing.

9. Attendance at the Appeal Hearing

- 9.1. Your appeal can be heard without you being there. However, we strongly recommend that you attend if you can.
- 9.2. You can bring a friend with you, or someone who can speak on your behalf, such as an interpreter or signer.
- 9.3. You can be legally represented if you so wish.
- 9.4. If you do not attend and do not request an alternative date or time, then the Panel will hear your appeal in your absence, taking into account any written material you have submitted.

10. Procedure at an Appeal Hearing

- 10.1. Both the Admission Authority and parents are given an opportunity to explain their case without being interrupted.
- 10.2. The Clerk will introduce himself or herself to you and the person representing the Admission Authority, before the hearing starts.
- 10.3. The Chair of the Appeals Panel will introduce himself or herself and the panel members. The Chair will then explain the procedure to you. This is likely to be the following:
 - Welcome and introduction (Chair)
 - Explanation of how the hearing will be conducted (the procedure) (Chair)
 - Admission Authority case
 - Questions from parent
 - Questions from members of the panel
 - Parent's case
 - Questions from the Admission Authority representative
 - Questions from members of the panel
 - Summing up by the Admission Authority
 - Summing up by parent
- 10.4. The clerk will tell you what you should do next and when you can expect to receive a decision.

11. Reaching a Decision

The Appeal Panel reaches a decision in private, by a majority vote. Factors such as the 30 class size rule (explained below) and multiple appeals will be taken into consideration.

11.1. Infant Year Groups (Reception, Years 1 & 2): The 30 class size rule

- There are statutory limits in force for infant class sizes (reception, Years 1 and 2) and, subject to certain very limited exceptions, these statutory limits mean that no infant class containing 5, 6 and 7 year olds may contain more than 30 pupils with a single qualified teacher. This is known as "the thirty class size rule".
- After considering all the representations made to them at the Hearing, the Panel will decide whether the Thirty Limit / Infant Class Size Limit would be breached by the admission of an additional child / children.

Where a panel decides that the Thirty limit would be breached by the admission of an additional child, it can **only** uphold your appeal and offer a place to your child where it believes that:

- o The admission arrangements did not comply with admissions law, or were not correctly applied **and** that without any such fault your child would have been offered a place.
- o The decision of the Admission Authority was perverse in the light of the admission arrangements.

11.2 Multiple Appeals

- When hearing a number of appeals for Hillingdon Primary School, the Appeals Panel will reach a decision after hearing all the Appeals.
- They will look at all of the cases which they feel ought to be upheld and decide whether the school could accommodate all of them without prejudicing the provision of efficient education or the efficient use of resources.
- If they decide that the school cannot accommodate all the appeals they wish to uphold, they will compare the cases and decide which of them to uphold.
- This procedure is adopted so that parents whose appeals are heard later rather than sooner do not feel that their case has been prejudiced by appeals already heard.

12. What happens after the appeal?

The Appeals Panel's decision is notified to parents and to the Admission Authority in writing as soon as possible. In order to avoid parents having to wait until they have received the written decision, the Clerk will normally telephone you on the same day to let you know the outcome. If you have been unsuccessful, the letter will explain why the Appeals Panel did not give your child a place at the school.

13. If your appeal is unsuccessful

The Admission Authority will only look at one appeal for a school in an academic year, unless there has been a significant change in circumstances. If there has been no significant change in circumstances, the Admission Authority does not have to look at your application again, so you have no right of appeal.

14. Further action you can take

The Appeals Panel's decision is binding and there is no further Right of Appeal. However, there are other possible courses of action available, which parents may wish to consider as appropriate:-

- Complain to the Education Funding Agency if you feel that there has been maladministration in your appeal
- Discuss your options for alternative schools with the Admissions Team at your Local Authority.