

Title	<b>Changes to Admission Appeals during COVID-19</b>
Prepared by	Madison Gough
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## **Briefing note: Changes to the admissions appeals panel regulations during the coronavirus outbreak**

As of April 2020, the Department for Education (DfE) applied temporary changes to the admission appeals regulations in order to allow flexibility for appeals. Due to the ongoing pandemic and current guidelines on social distancing, the DfE have extended the new temporary regulations until 30 September 2021, instead of the previously stated deadline of 31 January 2021.

The pandemic creates a number of issues for carrying out appeals in the usual way, in a face-to-face meeting. Due to uncertainty, this may also cause problems for meeting the timescales set out for the process.

The emergency regulations aim to provide guidance on managing appeals during the coronavirus outbreak, the Appeals Code itself has not been amended.

Key changes within the guidance that you need to know:

- Face-to-face appeal hearings are no longer a requirement until guidelines on social distancing change. Hearings should be conducted by telephone or video conference, where this is not possible, appeals conducted entirely on the basis of written submissions are acceptable.
- Appeals should be determined as soon as is reasonably possible and in accordance with the deadlines outlined within the temporary regulations, these are set and reviewed by the Admission Authority.
- In the case where a panel member withdraws from the process and is not practicable to reconstitute the panel in the normal way due to the incidence or transmission of coronavirus, a panel of at least 2 members may continue to consider and determine the outcome.
- The Admission Authority remains responsible for appeals against the refusal of a place, any arrangements currently in place must be reviewed in light of the temporary regulations. The Admission Authority is responsible for clearly setting out the process, including how it is conducted and timescales.

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- Clerking duties for admissions appeals is still a requirement.

For the full guidance on the temporary changes on appeals, see the full Department for Education's guidance [here](#). For more queries on the process and how it might affect an ongoing appeal, contact Madison Gough, Policy and Governance Officer at [madison.gough@elliottfoundation.co.uk](mailto:madison.gough@elliottfoundation.co.uk).