

**Admission Appeal - Guidance Notes for Students and Parents
(Sixth Form Appeal where required Grades have not been obtained)**

APPEALS IN 2023 WILL BE HELD VIA ZOOM

Please read these notes before completing the Notice of Appeal Form

Some Background

The Academy Trust or Governing Body is the admission authority for Academies, Foundation Schools and Voluntary Aided Schools. They make the decision about the admission of students (not the Local Authority or the Diocese).

Students, parents and legal guardians have the right to appeal against the decision not to offer a place in Year 12 at the school.

The clerk, who works in conjunction with the Diocesan Board of Education, sets up an Independent Appeal Panel to hear your appeal.

The most up to date school admission appeal law can be found in the School Admissions Code 2021 and the School Admission Appeals Code 2022, produced by the Department for Education.

Student/Parental Preference

Your application will have been refused because the required Grades to confirm the provisional offer of a place in the Sixth Form were not obtained.

Your Right to Appeal and the law that applies to this type of Appeal

You have the right to appeal the refusal to an Independent Appeal Panel although in this type of case the Panel is only allowed to consider the law that is contained within the School Admission Appeals Code – paragraph 3.17 namely;

In the case of an appeal where the child did not reach the specified entry requirements, the panel must not make its own assessment of a child's ability, but must decide whether the admission authority's decision that the child was not of the required standard was reasonable in light of the information available to it. In doing so, it must consider whether any process in place to consider such cases (for example, where a pupil had not been studying in England and therefore did not have GCSEs) was carried out in a consistent and objective way.

The appeal panel consists of members appointed by the Diocesan Board of Education and is completely independent of the school. There are three members on each panel; at least one must be a *lay member*, that is someone without personal experience in the management or provision of education and at least one must be a *non-lay member* (someone with experience in education).

The decision that the panel makes is binding on the school and the appellant and is the final action available (unless there is a complaint about the appeal process).

Notice of Appeal Form

If you would like to appeal the refusal, you will need to complete a Notice of Appeal Form. On the form, you should explain your case with particular reference to the above criteria. Please give your reasons in as much detail as you are able. You may also wish to include supporting evidence, where this is directly relevant to the points you are making.

Please refer to the school and/or Diocese website and guidance information for the timeframe and place where to submit your Notice of Appeal.

NB. If you do not attend the appeal hearing in person, it will be heard in your absence. In these circumstances, it is extremely important to write down as much as possible regarding your case, as the panel will make a decision based on the written evidence you supply.

The Appeal Hearing

On receipt of your Notice of Appeal Form, you will be provided with details of the date and time of the appeal hearing. The appeal process will take place remotely and the appeal clerk will provide more detail to you about this in the acknowledgement of your notice of appeal.

You will be sent a copy of the school "Statement of Case" and details of the procedure that will be followed at the appeal hearing. However, it may be helpful for you to know, in outline, what will happen on the day of the appeal.

The Appeals Administrator will ensure that the members of the panel receive all of the relevant papers at least seven school days before the date of the hearing.

The appeal hearing will be in two parts. The process begins with someone from the school (known as the "Presenting Officer") addressing the panel with the specific circumstances surrounding why your application was refused. They will refer to the information contained within the school's Statement of Case. The Presenting Officer may be a governor, teacher or a staff member who deals with admissions. You and the Panel will have an opportunity to ask questions after the presenting officer has presented the school case.

The second part of the hearing is when you get your opportunity to explain why you believe you/your child should be allocated a place at the school - with specific reference to the above criteria.

After hearing your case the Panel will make a decision having regard to the law set out above.

Should the student/parent(s) attend the hearing?

Yes if at all possible and students are encouraged to attend.

You are likely to be the best person to explain the circumstances and so provide the panel with information to help them to make an informed decision.

You are entitled to bring someone to the appeal to support you such as a member of your family, a friend or adviser and if you want to, they may help you present your case. It should not normally be necessary for you to bring a solicitor or lawyer as this is not a court of law and we aim to keep the hearing as informal as possible.

Help Preparing your Appeal

These guidance notes should provide some useful information when preparing your appeal but you will have the opportunity to clarify or raise any issues with the appeal clerk right up to the time of your appeal.

After the Appeal

After the appeal, the clerk will write to you to inform you of the panel's decision. This will normally be within 5 school days of the appeal.