Admission Appeal – Guidance Notes for Parents
(For In-Year applications for Year 3 upwards)

APPEALS IN 2026 WILL BE HELD VIA ZOOM

Please read these notes before completing the Notice of Appeal

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 pupils/students (not the Local Authority or the Diocese).

Parents and legal guardians have the right to appeal against the decision not to offer a place to their child at the school.

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

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

Parental Preference.

An applicant can express a preference regarding the school they would like their child to attend.

Applications for Year R (Primary School), Year 3 (Junior School) and Year 7 (Secondary School) are coordinated by the Local Authority but each school has its own published oversubscription criteria which is applied to allocate the places when there are more applications than places available (known as the school's Published Admission Number).

For an In-Year application for Year 3 and beyond, the school is entitled to refuse the application if it believes that to admit an additional pupil/student would cause prejudice to efficient education or the efficient use of resources (even if the number on roll is below the original Published Admission Number).

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 (including the consideration of any reasonable adjustments) with the appeal clerk right up to the time of your appeal.

Your Right to Appeal ("Should I appeal?" / "Is it worth me appealing?").

The law provides you with an opportunity to put your case to an Independent Appeal Panel. This 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*, that is, someone with experience in education.

The Published Admission Number is the optimum number of pupils/students for the school to provide an effective education.

The Appeal Panel has the power to offer a place over this number and if they make this decision then that student will be admitted.

The Panel will look at the school circumstances and at the reasons/circumstances that relate to the child and/or family before coming to a decision.

Statistics from past appeals demonstrate that it is more likely than not that an appeal will be unsuccessful. The school has a Published Admission Number for a reason and a Panel will have due regard to this **but** this process is available to you when your application has been refused and you want to explain your own circumstances and reasons to an Independent Panel. These personal circumstances are unlikely to have been taken into consideration when the decision was made to refuse your application.

Previous statistics do not mean that your appeal will be unsuccessful but they do mean that you can effectively manage your expectations if (and when) you go through this process.

The decision that the panel makes is binding on the school and the parents/legal guardians 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 for a place at a preferred school, you will need to complete a Notice of Appeal Form. On the form, you should explain why you believe your child should be allocated a place at the school. 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.

This may include:

- If your case is based on medical or social grounds of either your child or anyone else in the family, you should, wherever possible, provide written evidence from a doctor or other professional, such as a social worker, to support this.
- If your case is based on a house move you could provide documentary evidence of this.
- Any other letters, reports or documents which may help to evidence the reasons you are putting forward.

However, it is important to remember that an appeal panel is unable to attach any weight to your child's academic achievements, attendance record or participation in school events.

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, the appeal is likely to proceed 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 this written evidence.

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 the relevant papers in good time 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 as to how the places were allocated (if this is relevant) and why your application was refused. They will refer to the school's Statement of Case and will explain why the school believes that no further pupils/students can be admitted to the school without causing "prejudice to the provision of efficient education or the efficient use of resources." The Presenting Officer may be a governor, teacher or a staff member who deals with admissions. After the presenting officer has presented the school case, you and the Panel will have an opportunity to ask questions.

If there are other parents appealing for a place at the school, they will also be invited to be present during the first part of the appeal. This is because the school case is about facts and figures about the school and the prejudice the school believes will be caused by admitting additional pupils/students. This ensures that all parents can hear the school case. There is no discussion about individual cases during the first part of the appeal.

The second part of the hearing (which takes place if the panel accept the school case) is an individual meeting relating to each student. This will take place in the presence of the panel and the school representative only. All parents have their own individual and confidential hearing. You will be able to explain why you believe your child should be allocated a place at the school. The Panel has the power to decide that your circumstances outweigh the prejudice that would be caused to the school and can allocate your child a place.

Often the two parts of the hearing take place on the same day. However, where there are a large number of parents appealing for the same school, the first part (the school's case) may take place on an earlier date, with the individual hearings scheduled later. You will be informed if this applies to your appeal.

Should parents attend the hearing?

Yes, if at all possible!

The child's parent/legal guardian or carer is likely to be the best person to tell the appeal panel why it is so important for the child to attend the school of preference and to provide the panel with information to help them to make an informed decision.

You are entitled to bring your partner, a member of your family, a friend or adviser along to the appeal with you and they may help you to present your case.

It should not normally be necessary for you to instruct a lawyer as this is not a court of law and the Panel will aim to keep the hearing as informal as possible.

It is for parents/legal guardians to decide whether their child should attend the hearing.

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. However, in the summer term when multiple appeals take place this may take slightly longer.