

APPEALS AGAINST THE DIRECTOR, DEPARTMENT FOR CHILDREN & EDUCATION'S DECISION NOT TO ADMIT YOUR CHILD TO THE SCHOOL OF YOUR CHOICE

Explaining the Appeals Procedure

1. To Appeal for a Particular School

If your child has been refused a place at the school you wanted, you have the right to appeal against the decision. Appeals are heard by special panels called Admission Appeal Panels.

2. Making an Appeal

If you wish to appeal, please complete and return the attached Form to:-

The Director of Resources, Democratic and Members' Services Section,
County Hall, Trowbridge, Wiltshire, BA14 8JB

Please include with the form any documents containing more details or evidence in support of your appeal which you wish the Panel to consider. Your form should be returned within 21 days of the date of the letter refusing a school place.

3. After you have returned the Form

- (a) You will be told at least 14 days in advance when and where your appeal is to be heard. Every attempt will be made to hear your appeal somewhere locally.
- (b) Please try to attend the appeal yourself. If you wish you may bring a friend, relative or representative. If you indicate that you will attend and then fail to do so and do not inform me or one of my staff, the Panel may consider your appeal in your absence.
- (c) Your appeal will be heard in private and as informally as possible.
- (d) At least 7 days before your hearing, the Council will send you a written case. This will include the reasons why the Council has been unable to meet your request for your preferred school.

4. At the Hearing

The Panel has three members including at least one lay member and at least one person with knowledge and experience of education. None will have any connection with the school(s) involved in your appeal. A clerk will also be present to record the Panel's decision and advise on law and procedure.

The Panel will have copies of your form (plus any other documents you may have submitted), together with the Council's written case. If you chose to appeal full details of the procedure to be followed at the Appeal Panel will be sent to you beforehand.

During the hearing you will have the opportunity to ask any questions you have in respect of the Council's written case and will be invited to present the reasons for your appeal.

5. **The Decision**

The Panel will make its decision in private after hearing all the evidence. In reaching its decision, the Panel will consider:-

- (a) Your preference(s); and
- (b) The admission procedures published by the Council. (See 'Finding a School Place', published by the Council, which gives details of the admission arrangements for primary and secondary schools in Wiltshire.)

The Panel will then decide whether the Council has shown that the school of your choice is full and that the admission of your child would harm the standard of education at the school or lead to an inefficient use of resources. If the Panel decides that the Council has not proved its case your appeal will be allowed. If the Council's case is accepted the Panel will then balance the effects of admitting one more child to the school against the reasons for your preference and decide which should prevail.

Appeals for admission to an infant class may be slightly different. Because from September, 2001, no infant class may contain more than 30 pupils, the Council may refuse your application in order to comply with the new limits on class sizes. If this is the case, the Panel will be able to uphold your appeal only on grounds of unreasonableness or if the admission arrangements were not properly implemented.

The Clerk to the Panel will write to you within one or two days telling you of the decision and the reasons for it.

6. **Voluntary Aided and Foundation Schools**

The Governors of Voluntary Aided and Foundation Schools are responsible for admission to their schools and for their own appeals arrangements. They organise independent Appeal Panels whose decisions are binding on the Governors.

If you wish to appeal in respect of Voluntary Aided or Foundation School you should contact the Head Teacher of the school concerned.

Please also note:-

- (1) Although you have the right to appeal against admission decisions, your child does not have the right to a place at any particular school. You are strongly advised, therefore, to consider alternative schools in case the Admission Appeal's Panel does not allow your appeal. Staff in The Department for Children & Education will be happy to advise you on alternative schools. For more information, please telephone 01225 713000.
- (2) Vacancies will arise from time to time at schools and they will be offered by The Department for Children & Education, in accordance with the published admissions policy and waiting list procedure.

Dr Carlton Brand
Director of Resources