

Admissions Appeal Hearings Frequently Asked Questions

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Section 1 – Before the Hearing

1. I need an interpreter.

If you need an interpreter please contact the Appeals Clerk so that arrangements can be made.

2. I have been given the date of the appeal hearing. What happens now?

You need to prepare a case to be presented to the Panel. Your case should explain your reasons for appealing. You have already done part of this by filling in the appeal form. It is now up to you to decide if there is anything else that the Panel should be informed of. On the day of the hearing, you (or if you chose, a representative) will be given the opportunity to explain your case to the Panel. Prior to the hearing, you will be provided with a copy of the paperwork for your appeal which will include the Admission Authority's case and your case.

3. What kind of evidence will I need?

This will depend on your case. Most of the time, your circumstances will speak for themselves; however, if you think it will be helpful you can submit supporting documentation such as letters, medical information or any other papers that support your case.

4. How and when do I submit additional documents to the Panel?

All documents that you want to submit to the Panel must be sent to the Appeals Clerk. To ensure the Panel has sufficient time to consider these documents, they should be provided to the clerk at least one week before the date of the appeal hearing. You may still submit documents up to the day of the hearing; however the Panel may decide that it will need extra time to consider any new information and this could mean that your appeal might need to be adjourned to a later date.

5. Can I ask for information from the Local Authority (LA) to help make my case?

The LA is legally obliged to grant any reasonable request for information you make. If you require any documents, such as the admissions policy of the school you are applying for or the national schools admissions code, please contact **School Admissions** on **(020) 8937 3110**.

6. Can I bring witnesses to support my case?

Yes, you can, but it is up to the Panel to decide whether witnesses can be heard. This will usually only be allowed if there are very specific issues affecting the appeal which the witnesses may clarify. You must notify the Appeals Clerk if you intend to bring witnesses to the appeal hearing by 12 noon, at least six working days before the appeal.

7. I have been told that my appeal is infant class size, what does this mean?

There are two different types of appeals:

- **Infant Class Size appeals**

The law states that classes in Reception, Year 1 and Year 2 must have no more than 30 pupils per teacher. If the admission authority refused your child a place in a school because this limit had been reached, your appeal will be an infant class size appeal. The Panel has limited scope when considering these appeals. Please see question 13 for further information.

- **Two-Stage appeals**

All other appeals.

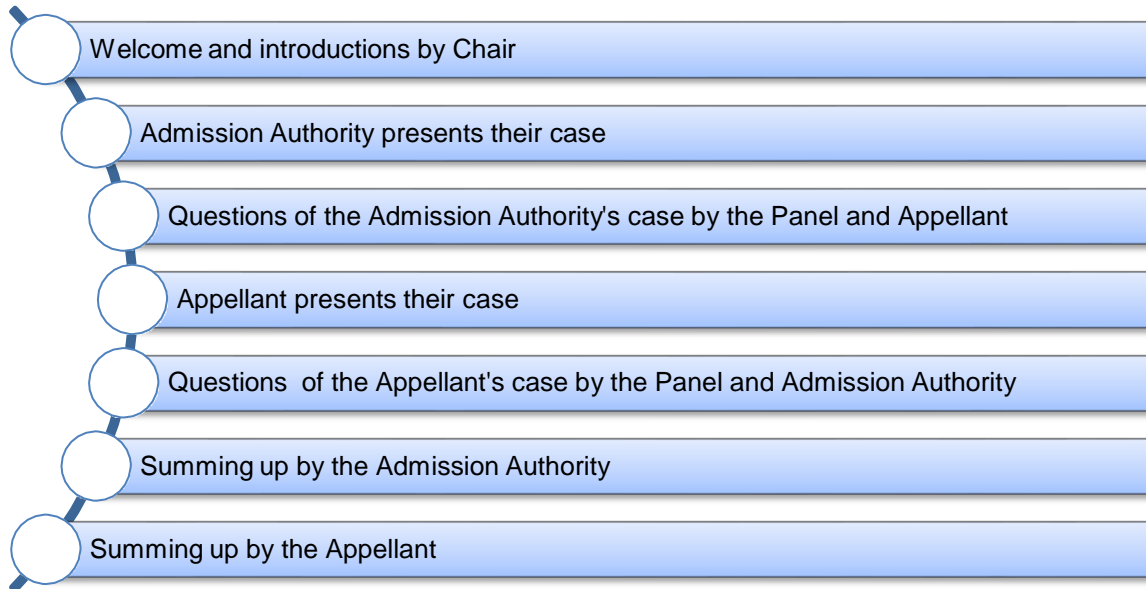
8. Should I hire a lawyer?

You have a right to, but this is very seldom done. The hearings are fairly informal and it is more common for parents/guardians to bring friends or representatives along.

Section 2 – At the appeal Hearing

9. What will happen at the hearing?

The procedure that will be followed at the hearing is set out below:



You will then be asked to leave and a letter will be sent to you by the Clerk setting out the Panel's decision.

10. Must I be at the hearing?

You are encouraged to attend the hearing, as it allows the Panel to ask any questions of clarification regarding your case. You are also allowed to bring a representative or friend with you to the hearing. However, if you do not wish to attend the hearing, the Panel will consider your case based on the written information you submit.

11. Who sits on the appeal Panel?

The Panel is made up of independent volunteers, trained in the appeals process. There will be 3 Panel members at your hearing including one lay member and one education member. A lay member is someone without personal experience in the management of any school. An education member will have experience in education, will know the educational conditions in the local area, or may be a parent of a pupil at a school. Certain people, such as local councillors or anyone with a connection with the school being appealed for, cannot be on the appeal Panel.

12. How long will the appeal hearing take?

Most appeal hearings take about 30 minutes.

Section 3 – the decision

13. How will the appeal be decided?

For all appeals, the Panel must consider whether the admissions criteria are lawful and were correctly applied in your case. If the Panel considers that an error was made which resulted in your child being denied a place at the school, it must allow the appeal. However, if the Panel is satisfied that there has been no error, or considers that the error had no material impact on your child's application, it must proceed as outlined below:

- **Infant Class Size Appeals**

For this type of appeal, the first thing a Panel must consider is whether the infant class size limits (30 pupils per teacher) would be breached with the addition of another pupil. If the Panel finds that the admission of another pupil would not breach these limits it must uphold the appeal. However, if it considers that the infant class size limits would be breached and that the admissions criteria were both lawful and correctly applied in your case, it must consider whether the decision of the Local Authority (LA) was unreasonable. In this context, an 'unreasonable decision' is one that no other Admissions Authority would have made in the circumstances of the case.

- **Two Stage Appeals**

The Panel must consider whether the admission of another child to the school would prejudice the provision of efficient education and resources. If so, the Panel must then proceed to the second stage and weigh the degree of prejudice that would be caused to the school, against your reasons for wanting your child to attend the school.

14. What kind of things will the Panel take into account?

The Panel will consider all of the information placed before it including:

- your child's situation
- if your child has special needs that can only be met at the school you have applied for
- whether anything was overlooked in your application that should have given your child priority according to the school's admissions policy, such as there being a sibling at the school.

The Panel will also consider the points raised by the Admission Authority including any issues that might be faced by the school in admitting another pupil.

15. What does the Panel's decision mean?

Whatever the Panel decides is binding on you and the school. If the Panel chooses to offer your child a place, the school must offer you a place. Only a Court of Law can reverse the Panel's decision.

16. When will I know the decision?

You can call the Clerk for the decision the morning after your appeal hearing. A letter giving reasons for the decision will also be sent to you within one week of the hearing.

Section 4 – Next Steps

17. If my appeal is rejected, can I appeal again?

Not for the same school in the same academic year, unless your circumstances suddenly change (if, for example, you move house or your child develops a medical condition). There is no restriction on appealing for the same school again at a later date, as long as the appeal is for a school place in a different academic year to your previous appeal.

18. Can I appeal for more than one school?

You may appeal for as many schools as you choose, but bear in mind that you will have to complete a separate appeal form for each one, and may have to attend separate hearings. The Council is only responsible for arranging appeals for Community Schools. For information on how to submit an appeal to any other Brent schools, please contact the school direct.

19. Where can I see a copy of the school's admissions policy?

You will have been sent a summary with your admissions appeal form, but you can always request a more detailed version from the LA (see below). Brent's Website (www.brent.gov.uk) is also a good source of information.

20. Who can I talk to if I'm still confused ?

For general queries on the appeals process, please contact:

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| School Admissions | 0208 937 3110 | school.admissions@brent.gov.uk |
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For queries on hearings, please contact:

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| The Appeals Clerk, London Borough of Brent | 0208 937 1355 | committee@brent.gov.uk |
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Further sources of Advice:

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| The Advisory Centre for Education (ACE) | 0808 800 5793 (<i>lines open 2-5 pm Monday-Friday</i>) | www.ace-ed.org.uk |
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| Government Website | www.gov.uk |
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If you have any issues with the date of the hearing, have not received your papers, would like to submit papers before the hearing, or require an interpreter, please contact the Clerk to the Appeals Panel.