

Appealing against admission refusal at Forest Gate Academy

These notes are to explain what appeal procedures are about. They may help you decide whether you wish to appeal.

1. Your right to appeal

Because you have not been offered a place at a school you applied for, you have a right to appeal against the decision. The appeal will be heard by an independent appeal panel. The appeal panel members have had no part in the decision not to offer a place. They do not belong to the school.

2. How to appeal

You should complete and return the appeal form included with these notes.

You should state your reasons for wanting your child to attend the school. If the space on the form does not allow you to say all you wish, you can attach further sheets of paper to the form and submit them. (If you do this, please write your child's name at the top of each sheet.) Any information you give will be supplied to all the parties prior to the appeal. It is in your interest to supply full details of your reasons and, where possible, provide documentary evidence, of any statements you make.

3. Advice

National independent advice regarding education matters, including school admissions, is available from Coram Children's Legal Centre – contact 08088 020 008 or visit www.childrenslegalcentre.com

For independent advice on admission matters, including the appeal process, you may wish to contact ACE (Advisory Centre for Education). Their telephone helpline number is 0300 0115 142, or visit the website www.ace-ed.org.uk to access information.

4. What happens next?

A hearing will be arranged. Approximately ten working days before the meeting, you will be sent details of the place, date and time of the hearing. Later, but before the hearing itself, you will be sent a copy of the school "case" for refusing a place – that is, the documents giving their reasons why a place cannot be offered to your child.

If, for any reason, you cannot attend the hearing, please let the clerk know. The hearing is likely to go ahead on the basis of your written information. This is particularly the case when there are multiple appeals for the school scheduled to be heard.

5. What happens at the hearing?

There is an independent panel, usually of 3 members, plus the clerk. There will usually be one or sometimes two representatives from the school. You can attend and you can bring a friend, adviser or representative if you wish.¹

At the hearing, the school representative will explain why a place could not be offered. Everyone, including you, will be able to ask the school representative questions. You will have your turn to explain why you wish your child to attend that school. You can make an oral statement and clarify or supplement your written appeal. You may then be asked questions. There will be a summing up by both parties.

At the end of the hearing everyone except the panel members and their clerk leaves. The decision is taken later in private by the panel. The clerk undertakes their administration.

6. What decisions can the Panel take?

The panel can either turn your appeal down or they can agree to make a place available for your child. To help them come to this decision, they will check whether the admission authority has applied its policy and admission procedures correctly.

Appeals are considered under the rules for “prejudice”. The panel has to decide whether the school has proved that prejudice would be created if another pupil was to be admitted. If they agree this is the case, they listen to your reasons why you want your child to attend. They then have to balance the school’s problems in coping with another pupil with the problems you and your child will have if they cannot attend that school.

7. Finding out about the result

You will receive a letter within a few days of the hearing confirming the decision of the panel – i.e. whether a place is being offered to your child or not.

9. Alternative places

You can still appeal even if you have a place elsewhere. Do not leave your child without a school place.

¹ NB This can be a locally elected politician, or an employee of the local education authority such as an educational social worker, SEN adviser or learning mentor provided that there is no conflict of interest.