



Carshalton High School for Girls

Admissions Appeals Panel

A Guide for Parents

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Introduction

If your daughter has been refused a place at Carshalton High School for Girls you have the right to appeal against that decision. Appeals are heard by a special panel called the Admissions Appeals Panel. It is independent of the school and its membership is also independent of the school.

The Governors' Decision and Your Right to Appeal

If Carshalton High School for Girls has decided not to offer a place to your daughter you will get a letter clearly stating the reasons why. You should then decide whether or not you wish to appeal against that decision.

You need to think carefully about:

- The school's policy for admitting students and the specific reasons it has given for not admitting your daughter
- Your reasons for wanting your daughter to attend the school and the strength of your case
- Alternative schools available

At a hearing, the Independent Panel would need to be satisfied that there is evidence to demonstrate that:

- the admission arrangements did not comply with admissions law or had not been correctly and impartially applied, and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
- finds that the admission of an additional child (or children) would not prejudice the provision of efficient education or efficient use of resources and considers that the appellant's case outweighs the prejudice to the school.

Admission appeal hearings – advice for parents/carers

What is an appeal?

If you are not offered a place for your child at a school that you have applied for, you have the right, by law, to appeal against this decision to an independent body called an Independent Appeal Panel (IAP).

Please note that the law gives you the right to express a preference for the school you want for your child. It is framed in this way rather than the right to choose a school, because it is sometimes not possible for a place to be allocated at your preferred school.

If a school is full, that is when the number of children on roll is the same or greater than the published admission number, it will not be possible for the school to offer your child a place.

You do not have to appeal, but if you think that there are exceptional reasons why your child should still be given a place at the school, even though it is full, you can explain your reasons to an Independent Appeal Panel. The IAP will consider whether there are exceptional circumstances, which, in their opinion, would mean that the disadvantage to your child in not attending the school would be greater than the disadvantage to the school in making an extra place available for your child. If the IAP upholds your appeal they will direct the school to admit your child. The Appeal Panel's decision is binding.

How do I make an appeal?

If the school is unable to offer your child a place you will be sent a letter telling you this. The letter will also tell you that you have a right to appeal against this decision.

To make an appeal you need to contact the Admissions Officer at the school, and you will be provided with an appeal application form. When you complete the appeal form you will be asked to give a statement setting out your reasons for your appeal. These will be the reasons why you believe your child should be given a place at the school, even though the school is full.

If you feel that any statement in your appeal needs to be supported by an outside agency, please ensure that the appropriate evidence is supplied, at the same time as submitting the appeal form possible. It is not the responsibility of the school or the IAP to verify any statement made by a parent.

When completing the form, you should bear in mind that you are trying to explain why your child needs to attend the school you are appealing for and why no other school is suitable. The way you explain your case on the form is up to you. However, three to five important points written briefly is preferable to an 'essay type' explanation, as this will make it easier for you to refer to the issues important to you when explaining your case at the appeal hearing.

Professional evidence setting out medical/social reasons should be attached to the appeal form. Evidence to support a medical condition can come from the family GP or child's hospital consultant. Evidence to support a social reason can come from a professional such as a social worker or health visitor. These documents should, if at all possible, be returned with the appeal form. It may not be possible for the IAP to consider information received at short notice. Appeal forms must be completed and returned with supporting evidence by the closing date stated.

Once your appeal has been received and the deadline for lodging an appeal has passed, you will be contacted by the Clerk to the Appeal Panel, who is independent of the school, and who will arrange for your appeal to be heard. The Appeals Clerk will then communicate with you directly regarding your appeal hearing. The school/Admission Authority will write to you at least seven days before your appeal explaining why it is not possible to allocate a place.

THE APPEAL HEARING

Do I have to attend my appeal?

For the 2021 intake and as a result of restrictions on face to face meetings due to Covid-19, appeals will be heard via Zoom virtual meetings. You will be given the option of joining the meeting by video or audio, or you can join by dialling in from your mobile phone. Alternatively, you can elect to have your appeal considered on the written submissions you have provided.

Who will hear my appeal?

Your appeal will be heard by an Independent Appeal Panel of three people who have no connection with the school, who have undertaken training, and who have been appointed by the Independent Clerk, as follows:

- At least one lay member who has no personal experience in education, that is, in the management of any school or in the provision of education at any school.
- At least one non-lay member, which is a person who has experience in education and who is familiar with local schools and educational conditions, or who is a parent of a registered pupil at a school.
- The third member can be of either category described above.

The other people who will be present at the appeal will be the Clerk to the Panel and a representative for the school/admission authority. Your child should not be present during the hearing.

The Clerk to the Panel

The Clerk is not a member of the Appeal Panel, but is there to take notes of the hearing and to advise on the procedure and conduct of the appeal. The Clerk also writes to all parties, after the appeal, informing them of the Panel's decision.

Representative for the school and/or admission authority

The representative for the school/admission authority will present the case for the school. They will explain why your child has not been given a place at the school that you have applied for. They will answer questions from you or the panel about the school and the admission arrangements.

General Information

Appeal hearings are heard in private. Copies of your appeal submission will be sent to the Clerk and IAP, and will be treated as confidential.

You can ask for an interpreter, a friend, or a relative to be present at your appeal hearing or you can be represented, and they all have the right to speak on your behalf. Please complete the appropriate section of the appeal form to indicate that a representative will be present at the hearing.

Before the appeal hearing parents/carers are advised to;

- Familiarise yourself with the school's admission arrangements and the appeal process detailed in this guide
- Make sure you have looked at the school/admission authority's case before the appeal hearing
- Make a note of any questions you would like to ask the school/admission authority about their case
- Be clear about the grounds/reasons for your appeal for your preferred school – it might be helpful to make notes

What happens at the appeal hearing?

The Chair of the IAP will introduce everyone at the hearing and explain the procedure to you. Appeals generally last around 20 to 30 minutes.. The three Panel members will listen to the school's case for not offering your child a place and will then hear your case.

The hearing takes place in the following order:

- the representative for the school/admission authority explains why it is not possible to offer a place at the school that you have applied to
- questions
- the appellant/s give their reasons for wanting their child to attend the school
- questions
- the representative for the school sums up their case
- the appellant/s sum up their case

You will be given every opportunity to say what you want and to make your case for why you believe that your child should attend the school you are appealing for even though the school is full.

Please note that the appeal panel cannot;

- attach any conditions if it allows your appeal
- hear complaints or objections on wider aspects of local admission policies and practice - e.g. it cannot change the designated area of a school, or reassess the net capacity and admission number of the school
- order the admission authority to change your position on the waiting list for the school

The Panel members will go on to balance the two cases and consider whether the disadvantage to your child in not attending the school would be greater than the disadvantage to the school in making an additional place available for your child.

If the IAP decides that the greatest disadvantage is to your child, then the appeal will be upheld. However, if the IAP decides that the disadvantage to the school is greater, then your appeal will be denied.

What happens after the appeal hearing?

The Clerk will write to you with the result of your appeal, normally within five school days after the hearing, and will include the reasons for the IAP's decision. If your appeal is unsuccessful, you still have the right to ask for your child's name to remain on the waiting list.

If you believe your appeal was not administered correctly, you are entitled to write to the Education & Skills Funding Agency (ESFA), which has the power to investigate written complaints about maladministration. Contact details are: <https://www.gov.uk/schools-admissions/complain-about-the-appeals-process>

Where Can I Go for Further Help and Information?

Both you and the school must accept the decision of the Admissions Appeals Panel. If you feel however that the panel was not properly set up then you can ask the Education Funding Agency to step in and they will consider your case.

If you have a complaint about the administration of the hearing and think that the procedures have not been followed properly, then you should contact the Education Funding Agency (EFA) within six months of the appeal who investigate complaints on behalf of the Secretary of State; email: academyquestions@efa.gov.uk or write to:

Academy Admission Appeal Complaints
Academies Central Unit
Education Funding Agency
8th Floor
Earlsdon Park
Butts Road
Coventry
CV1 3BH

- Admissions Appeals Panel** – An independent body that hears appeals against decisions made by the governing body
- Approved Admission Number** – The number of pupils the school must admit in its entry year as approved by the Secretary of State
- Notice of Appeal** – The letter or form sent by a parent stating that they wish to appeal
- Fair and Not Biased** – Just and not prejudiced

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