

School Appeal Panel Procedures

Guidance for Parent(s)/Carer(s)

What is an admission appeal?

An admission appeal is an opportunity for you to put forward your reasons for wanting a place at a full or oversubscribed school.

The appeal is heard by an independent Panel. The Panel members are not connected with either Leicester City Council or the school. The Panel considers evidence from you (both written and verbal if you are attending the appeal) as to why you want a place at the school, and also from the school about how they have applied the admissions policy in your case. The Panel makes its decision after having considered evidence from both sides. Their decision is legally binding.

The Panel

Panels are made up of people from different backgrounds, age groups and cultures. The panel will be made up of at least 3 members and each Panel will include members of two groups:

- a) **lay** people (someone without personal experience in the management of any school or provision of education in any school (except as a school governor or in another voluntary capacity);
- b) **non lay** people who have experience in education, who are acquainted with educational conditions in the local authority area, or who are parents of registered pupils at school.

How to Appeal

To make an appeal you need to complete an appeal form which should be completed within 10 school days of the date you receive the refusal letter from the Council or by the date stated in the refusal letter. You can obtain an appeal form from the school reception.

You should:

- Give your reasons for wanting a place at Madani Girls School/Madani Boys School
- Explain your reasons as fully as possible
- Attach copies of any written supporting information, letters, documents or evidence which you would like the Appeal Panel to consider at the hearing.

What happens next?

Appeals are normally only heard during office hours (9am to 3.30pm) Monday to Friday. Before your appeal hearing you will receive:

- A letter that will normally be sent out 10 school days before the date of the hearing.

- If you are attending the appeal - it will give the time, venue and date of the hearing. This will also outline briefly the day's events.
- If you are not attending the appeal – it will give only the date of the appeal.

- The School's case (statement) setting out why your application has been refused. This will normally be sent 7-8 days before the appeal hearing.

Parent(s)/carer(s) have the right to take as long as they wish to outline their case, but it is helpful to remember that there are always several appeal hearings on each day. You will be allowed 15 - 20 minutes for your hearing, but the process may not run strictly to schedule if some hearings take longer.

If for any reason you are late or decide not to attend the hearing, then you should contact the school Admissions Officer on 01 16 249 8080.

Who else will be at the hearing?

The Clerk

At all appeals, there will be a Clerk present. It is the responsibility of the Clerk to see that the procedures are followed according to the Department for Education guidelines and the law, but he/she plays no part in the decision making process. The Clerk is also responsible for informing you of the Panel's decision, which is normally within 5 working days of the hearing.

Interpreters

An interpreter will be provided for you to help you if requested. Please indicate on the Notice of Appeal Form if you require an interpreter and which language you will require the interpreter to speak.

The School Representative – The Presenting Officer

The Presenting Officer's role is to explain why a school place has been refused. This will include an account of how the application has been processed and why the school is not able to exceed the school's admission number (AN). The arguments will take into account fairness to all children, and the effects of overcrowding.

Can I bring someone with me?

You can take anyone of your choice with you to support or represent you at your appeal hearing. This could be a friend, partner or other family member/relative. You cannot take along an employee of the school.

Can my child attend the hearing?

Your child may come to the hearing. However, you need to consider that this can be distressing for some children and, unless there are exceptional circumstances, we recommend that children do not attend.

The Appeal Hearing

The hearing will be held in private and will be as informal as possible but will follow a set procedure to make sure that every appeal is dealt with in the same way. Panel members know that this is an

important and stressful time for you, so do not worry if you need extra time to think about all the things that you want to say.

When You Arrive

You will be welcomed in the waiting area by the Clerk. When the Panel is ready, the Clerk will introduce everyone and will make sure that you are aware of the procedures for the day.

The School Case (Stage 1)

The first stage will consist of the Presenting Officer outlining the school's position. They will explain how the admissions arrangements have been correctly and impartially applied. They will also explain the prejudice to the provision of efficient education that would arise if additional pupils are admitted. You may question the Presenting Officer about the School's Case. The Panel may do likewise.

If there are several families appealing for the same school, Stage 1 will take place with all of the parents together.

Your Case (Stage 2)

The second stage will be your turn to present your case which will be heard privately. The Panel will have read beforehand your written statement of Appeal and it may not be necessary, therefore, for you to repeat what has been said in that document. Instead, you may wish to concentrate on emphasising the reasons why you feel your child should be admitted to the school. You may be questioned by the Presenting Officer or the Panel to clarify your comments.

Written Representations

When a parent(s)/carer(s) wish their case to be considered on their written submissions (or when parent(s)/carer(s) fail to attend), the hearing will proceed in their absence. The Presenting Officer will present all the information held on the child to the Panel and will try to answer any questions the Panel may have.

What will the Panel take into account?

The Panel will first consider the case presented by the school, which will include how they dealt with your application. As part of the school case, the Panel will consider the facts and figures as to the maximum number of children allowed in the year group and the school as a whole and also the difficulties faced by the school as a result of overcrowding.

After this, the Panel will then consider your case for wanting a place at the school for your child.

Having considered both the school's case and your case, the Panel will first decide whether they agree with the school. If they do agree, the Panel will balance the school case against your case. If the Panel feel that your case is such that a place should be made available, then they will allow it – if not then they will not allow the appeal.

The Decision

The decision is made by the Panel in private after the hearing is over. The Clerk will aim to write to parent(s)/carer(s) with the decision of the Panel within 5 working days of the hearing. If hearings for the same school are held over more than one day, then the decisions will be made on the last day and letters sent out within 5 working days of that date. The letter from the Clerk will give a summary of the evidence heard and the decision of the Panel.

i) If the Appeal is allowed

If your appeal has been successful, the letter received from the Clerk will advise you to contact the school to arrange a start date. The school will be notified that you will be contacting them shortly.

A place which is made available as a result of the Panel's decision must be taken up within two weeks of the date of the decision letter. If the place is to start in the new school year (Autumn term), then the place must be taken up within two weeks of the start of term. If a place is not taken up by these deadlines, then it may be withdrawn.

ii) If the Appeal is refused

If your appeal has been unsuccessful, then you must either accept the alternative school offered, or arrange an alternative education for your child. You cannot appeal again for the same school during the same school year.

A re-appeal within the same academic year may only be agreed if evidence can be provided of an exceptional change in circumstances, or if there is new evidence that was not disclosed previously.

Please remember that it is your responsibility to make sure that your child is attending a school or is home-educated.