

<https://www.poole.gov.uk/schools-and-education/schools-and-colleges/school-admissions/school-admission-appeals/>

Link to main School Appeals landing page is www.bpcouncil.gov.uk/schoolappeals

School Admission Appeals

If your application for a school is refused you have the right of appeal against this decision to an independent Appeal Panel. This is known as a school admission appeal. This is governed by legislation produced by the Department for Education (DfE).

You can **only** appeal against a refusal of a place, so please don't contact the school or Local Authority about an appeal until you receive a formal refusal letter or email.

Your appeal must be made in writing and must explain the reasons why you are lodging an appeal. If you submit a form without giving your grounds, it will be returned to you as you will not have lodged your appeal correctly. It is very important therefore that you state clearly your reasons for lodging your appeal.

We recommend that you use an appeal form, which is available in order to ensure we have all the relevant information in order to arrange your appeal. See the relevant section below for details on how to obtain an appeal form. We recommend however **before filling in the form**, that you **read all the information on this page** and any relevant downloads to help you fully understand your legal rights and the appeals process.

You can appeal for a place for your child at more than one school, provided you have been refused a place at each school. You will need to complete an appeal form for each school.

Why didn't my child get a place at the school I wanted?

All parents have a right to express a preference for the school they would like their child to attend. The admission authority must offer a place at the school unless there is a legal reason for refusing a place. We appreciate it is disappointing if you are not offered a place at the school you prefer, however it is important to recognise that although you have the right to express a **preference** for the school you would like your child to attend, you **do not** have a right of **choice**.

The most common reason for not offering a place is that the school(s) received more applications than places available and other children had a higher priority for a place and the school than your child when the school's admission policy was applied. For in-year applications, it is usually that the school is at its published admission number.

In both instances, the school will not want to admit more pupils as this will adversely affect resources and the education of other children at the school.

For main entry admissions (i.e. entry in September to Reception Year, Year 3, Year 7 etc.) - details about the numbers of preference stated for each school are shown on the [School Admissions](#) page. Statistics for Secondary School allocation for September 2020 intake will be shown from 2 March 2020, Primary age statistics will be available from 16 April 2020. Data for previous years is also shown.

Before you appeal – other options and considerations

We recommend that you accept the place you've been offered. This will not affect your right to submit an appeal or affect your child's position on a waiting list. It will however guarantee that your child has a school place if no places become available at your preferred school.

If you have not already done so, we recommend visiting the offered school/other schools in the area with places available – don't just take the word of others in forming your opinion.

As well as/instead of appealing, you may wish to consider ensuring your child is on the waiting list for your preferred school and any other schools that you may wish to add your child to the list for. Waiting lists are based on the school's admissions criteria, **not** 'first come, first served' basis. This means a child's place on a list can go up or down if other children join or leave the list. Waiting list positions are not considered by Appeals Panels.

It is sometimes possible to change your child's allocated school, provided that the alternative school still has vacancies. Please speak with the School Admissions Team on 01202 261936 to discuss how to do this. They can also help you with regards to waiting lists for other schools in the area too.

When can I appeal / what can I appeal?

Normally, you will need to submit your appeal by a certain date. Appeal timetables for community schools are published on the school website.

For September entry appeals, no appeals can be heard until after the specified closing date. They are normally heard from May through to July on weekdays during term-time only. If you lodge your appeal after the deadline, it might be that it is not possible to hear your appeal until after the start of the new school year in September.

If you wish to make an appeal for immediate entry, you will need to lodge your appeal as soon as possible. We will aim to hear your appeal within 30 school days from the date your appeal is lodged. Again, this will be on a weekday during term-time.

Please note that it is not an appeal against where you've been offered, nor is it an appeal against the place planning policy or disagreement with the school's admissions arrangements (as long as they are legally correct and have been applied correctly) – **your legal right of appeal is against a particular admission authority's refusal of a place for your child.** School's admission policies are determined at least 18 months in advance – the appeals process is not the forum to raise issues with a valid legal admission policy.

It is worth noting that in the local area, many popular schools receive **multiple appeals** for entry in September. Unless it is proven that the school has spare teachers, budget and/or classrooms to take **all** the children appealing, any successful appeals will mean adding just some of the children appealing to existing classes and be limited to the children with the **most need** to attend the school concerned. **The school are unable to keep spaces back to allocate at appeals.**

You are unable to appeal against your position on the waiting list – this bears no relevance to appeal hearings – if you lodge an appeal and it is not successful, your place on the waiting list is unaffected.

Appeals for Years 3 to 13

Appeals for all other year groups are heard as what is known as two-stage appeals. Details of the appeal hearing and Appeal Panel's decision making are further down this page.

Additional guidance is given to Appeal Panels hearing either Grammar School appeals or appeals for places in Sixth Forms. Further details on these is available either from the schools themselves or from the BCP Education Appeals Service.

Please fully complete the relevant form. It is really important that you complete all sections of the appeal form and make sure that the details you supply are correct.

It is for you to decide what information and documents you wish to include in your case. However, if your appeal is based on medical grounds, you should, where possible provide written evidence from a medical practitioner to support this. If your case is based on a house move, you should provide official confirmation of your new address.

The Appeal Panel will not contact people on your behalf, for example; if you want the Appeal Panel to see a medical report or consider the views of a Social Worker or a previous teacher you will need to get that information yourself and submit it as part of your appeal.

Please do not submit original documents that you wish to keep as all the information and documents you submit as part of your appeal will be retained. Information that you submit will need to be photocopied so that it can be submitted to the Appeal Panel. It is your responsibility to ensure that any documentation that you are submitting is clear and can be easily copied. Appeal papers are copied in black and white. If you wish to submit information in colour, you will need to supply seven copies.

If you are unable to submit such additional documents with your appeal form, you should send them in as soon as possible but and no later than 5 school days before the appeal hearing. **Any late evidence may either not be accepted by the Appeal Panel or may cause the hearing to be adjourned.**

What happens after I've returned my completed Appeal Form

Once your appeal has been received, it will be acknowledged by the school / their independent appeals service and an appeal hearing will be arranged. They will give you an indication of when the appeals are likely to be heard. **At least ten school days prior to the appeal, you will be informed of the date(s), time(s) and place at which the Appeal Panel will meet.**

If you have submitted appeals for more than one school, it is unlikely that your appeals will be heard on the same date and you will receive a separate notification for each appeal you have submitted.

A week before your appeal hearing, you will be sent an appeal pack which will all the documents that have been submitted to the Appeal Panel. This will include both the Admission Authority's case and the appeal form and any additional documents you have submitted. You will need to bring this pack with you to the appeal hearing.

What happens at the appeal hearing?

You are encouraged to attend and speak at the appeal hearing if you wish. You may bring a friend to help you put your points to the Appeal Panel or be represented. If you choose not to attend or it is not possible for you to attend, the appeal will be considered in your absence in the same way as other appeals. We do not recommend that you bring any children with you to the appeal hearing.

Upon arrival, you will be directed to a waiting area, where the clerk will come and speak you before the hearing. They will invite you and the admission authority representative into the hearing at the same time.

The Appeal Panel will consist of three people who are not connected to the admission authority or school concerned. The Chairman of the Appeal Panel will welcome you and the admission authority representative and introduce everyone present. They will then explain the process of the hearing.

If the appeal hearing is one of many for places at the same school, **all the parents appealing** will have been invited to be present for the first part of the hearing, to hear the admission authority representative present their case. All parents and the Appeal Panel will be able to ask questions.

Depending on which type of appeal is being considered:

- **All other appeals (for places in Years 3 to 13)**

The Appeal Panel will adjourn and decide whether the admission authority has made a case or not. If they **have not** made a case, your appeal will be successful, and your child will be admitted to the school. If they **have** made a case, you will be asked to present your case. If your appeal is the only appeal being heard, it will be that you are invited back into the room to do this on the same day.

In the case of multiple appeals, you will have been given a separate time (and possibly separate date) to return in private without the other parents present to present your case as to why you want your child to go to the school in question.

At this part of the appeal (stage 2), you should consider why you feel your child should be offered a place and what the school can offer your child that the allocated/another school cannot. The Appeal Panel will take into account your reasons for expressing a preference for the school, including what the school can offer your child that the allocated or other schools cannot. The Appeal Panel and admission authority representative may ask you questions.

At the end of the appeal hearing, both you and the admission authority representative will be given the opportunity to sum up your case before the appeal finishes.

The Appeal Panel's decision is binding on the Local Authority, the school and the parents.

In multiple appeals (where there is more than one appeal for the same school and year group), the Appeal Panel must not compare the individual cases when deciding on whether a child's case outweighs the prejudice to the school. However, where the Appeal Panel finds there are more cases which outweigh prejudice than the school can admit, it must then compare the cases and uphold those with the strongest case for admission. Where a certain number of children could be admitted without causing prejudice, the Appeal Panel must uphold the appeals of at least that number of children.

Additional legislation is provided to Appeal Panels for hearing either Grammar School Appeals or Sixth Form appeals – relevant information will be provided at the time of appeal by the school/BCP Council Education Appeals Service.

For all types of appeal, if your appeal is part of a multiple appeal which runs over one day or longer, no decisions are made until all the appeals have been heard.

The clerk will usually call you on the day of the appeal / last day of the appeals in the case of multiple appeals to advise you of the Appeal Panel's decision. This will be followed up with a letter giving reasons for their decision.

Can I know why previous appeals were upheld for my preferred school?

Previous decisions on school admission appeals do not set precedents so no-one can predict whether your appeal will be successful or not. In addition, school admission appeals are confidential so you cannot ask to see copies of previous appeals or know why other appeals were successful. Your appeal will be considered on your own individual circumstances.

Can I withdraw my appeal?

If you have changed your mind and no longer wish to go ahead with your appeal, you will need to contact the BCP Council School Appeals Service.

Is there anything I can do if the appeal is dismissed?

When an appeal is dismissed, you cannot appeal against the decision of the Appeal Panel. We would therefore suggest that you have an alternative plan, in case your appeal is not allowed. You can speak to the Local Authority at any time to discuss alternative school places and waiting lists – this will not affect your appeal in any way.

If you have a complaint about the way in which your appeal has been handled and you feel you have suffered injustice as a result of maladministration, you can complain to the Local Government Ombudsman or Education and Skills Funding Agency. Maladministration refers to a procedural error, incompetence, neglect or prejudice rather than the actual merits of the decision taken.

Can I appeal more than once?

Schools do not normally consider a second or subsequent appeal in the same academic year unless you can prove that there has been a significant and material change in your circumstances. Such a change could include:

- Where a sibling link has been created at the preferred school that was not there at the time of the original appeal
- Where a change of address has occurred, which means the home address is significantly closer to the preferred school or is now in the catchment area of the preferred school
- Where new evidence is introduced and is supported by a letter from the medical professional or social worker which could not have been introduced at the original hearing

All requests linked to a change in circumstances should be sent to the school, as it is the admission authority's decision on whether they accept a second application.

What if my child has Special Educational Needs?

There is a different appeal process if your child has an Education Health and Care Plan (EHCP) and your application is not successful. The School Appeals Service is unable to hear your appeal under current legislation. Please speak with the SEN team on 01202 456267 if you live in Bournemouth or Christchurch, or the Family Information Service on 01202 261999 if you live in Poole with regards to the appeal process.

If your child is currently being assessed for Special Educational Needs or an EHCP, you can lodge an appeal up until the point the EHCP is issued to your child.