

**Independent Appeal Panel:
School Admission Appeal (Two Stage)
Procedure to be followed during the meeting
A Guide to School Appeals for Parents/Carers**

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Appeal Hearing

Once all parties are present, the Clerk will introduce themselves and explain their role is to provide advice and guidance to the Panel on law and procedures, keep a note of the hearings and send decision letters.

The Clerk will also outline the general procedure to be followed, confirm that the Panel are independent of the School and the Admission Authority, any decision made by the Panel will be legally binding and that a written decision letter will be sent within 5 school days, wherever possible. The 3 members of the appeal panel are independent of the council and have relevant skills and knowledge to consider your appeal.

The Clerk will also answer any questions parents may have regarding the process.

The Panel Chair welcomes the parties and invites the Panel Members and Presenting Officer to introduce themselves.

The chair will check that all parties have the correct paperwork and that the parents do not know any of the panel members.

The appeal panel will be supported by a clerk, who will take notes of the key points of the meeting.

The Chair will explain the process and introduce everyone in the meeting.

Order of the hearing:

1. The Admission Authority will be invited to present the school's case.
2. The parents/carers may ask any questions relating to the case put forward by the Admission Authority.
3. The Panel may ask any questions relating to the case put forward by the Admission Authority.
4. The parents/carers will be invited to present their case.
5. The Admission Authority may ask any questions relating to the case put forward by the parents/carers.
6. The Panel may ask any questions relating to the case put forward by the parents/carers.
7. The Admission Authority will be Invited to sum up.
8. The Parents/Carers will be Invited to sum up.

All parties except for the Panel Members and the Clerk will then be asked to leave the room.

After the appeal – decision making

The Independent Panel will meet privately to consider your case and reach a decision about your appeal. The panel will look at all the circumstances related to your case in reaching its decision.

The panel must consider in relation to each child:

- a. Whether the schools published admission arrangements comply with the mandatory requirements of the Schools Admissions Code and Part 3 of the SSFA 1998, and
- b. Whether the admission arrangements have been correctly and impartially applied in each case.

The Panel must then decide whether the addition of additional children would prejudice the provision of efficient education or the efficient use of resources.

The Panel must allow appeals at this stage where:

- a) It finds 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 they had been; or
- b) It finds that the admission of additional children would not prejudice the provision of efficient education or the efficient use of resources (no prejudice).

If no prejudice is found the appeal is successful and a place will be granted at the school.

If prejudice is found, the Panel will then consider the information provided at Stage 2 of the appeal. The Panel must balance the prejudice to the school against the parent's case for the child to be admitted to the school. It must take into account the parent's reasons for expressing a preference for the school, including what that school can offer the child that the allocated school or other schools cannot (a balancing exercise). Each case is judged on its own merits and is not compared with any other case.

After the decision making

The decision will be emailed to you 5 school days where possible after the hearing. The decision notice will explain the reasons for the decision and tell you what you can do next.