

ST JOSEPH'S CATHOLIC HIGH SCHOOL, SLOUGH
SCHOOL ADMISSIONS APPEALS
GUIDANCE BOOKLET

Clerk to the Appeals Panel
c/o St Joseph's Catholic High School
Shaggy Calf Lane
Slough
SL2 5HW

THE APPEAL PROCESS

If your child has not been offered a place at St Joseph's Catholic High School you have the right to appeal against the admission authority's decision. Before you can appeal you must have been informed in writing that your application for a place has been rejected (this is usually because the year group is full). You also have the right to appeal for a place in any other school if your application for a place has been rejected.

An Appeal Panel which is completely independent of the school will meet to consider your appeal. This is your opportunity to explain to the Panel why you think you should be offered a place at the school. Your appeal will be heard privately and all the information you provide will be treated in confidence. Only the panel members, the clerk, and the school presenting officer will be party to the information you provide. This booklet is designed to give you a brief overview of the appeal process.

Please contact the school for an appeal form or download one from the school website. Once you have completed your appeal form you should return it to the Clerk to the Appeal Panel at the address shown on the form.

The Next Step

Your appeal form will be acknowledged within one week. If you do not hear anything within that time, please contact the school.

At least 10 school days before the hearing (unless you have waived this right) you will be notified of the date of the venue for the hearing and other arrangements. You will be sent paperwork which will include details of the Admission Authority's case for refusing a place. You will also be advised of the deadline for submitting further evidence in the days leading up to the hearing.

All the written information you have provided to the Clerk will be circulated to the Appeal Panel and the school's presenting officer.

The Appeal Hearing

Venue

Appeals are often held in the school, at a conference venue or on a virtual platform. Details of the venue will be sent to you in advance of the appeal.

How long will my appeal last?

Appeals usually last for about 25 to 30 minutes. However, you will be given as much time as you need to present your case to the Panel so an appeal can take longer.

Appeals are timetabled and every effort is made to keep to your appointed time. Please note that there is occasionally some delay if previous appeals have taken longer than expected.

Who attends the Appeal Hearing?

The Appeal Panel will consist of at least three people made up of Lay Member(s) or Education Representative(s). None of the Panel Members will have any connection with the school you are appealing for or will have been involved in the original allocation decision.

Do I need to attend?

You do not have to attend the appeal but if you do it will help the Appeal Panel to understand the circumstances relating to your case. If you are unable to attend the hearing and it is not practical to offer you an alternative date, or if you decide not to attend, then your appeal will be decided on the information that you have sent.

Can I bring anyone with me to help me present my case?

You can ask someone to attend to help you put your case to the Panel. You may be accompanied or represented by a family member, a friend or advisor provided they are not an employee of the school in question. The hearing will be held in private. You have a right to attend the hearing and it is very helpful if you can attend to put your case. You will be asked before the hearing whether you intend to call any witnesses or be represented at the hearing. A friend or another family member may attend to support you or help you put your case and interpret for you. If you decide not to attend the hearing your appeal may be heard in your absence based on the written material you have submitted.

The Admission Authority will attend the hearing to present the school's case.

The Clerk to the Appeal Panel will be present throughout the hearing. The Clerk has no role in the decision making process but is an independent source of advice on procedure and takes a note of proceedings.

Usual procedure at the hearing

The Chairperson will try to keep the hearing as informal as possible and s/he decides how the appeal hearing is run. The normal procedure is as follows:

- I. The Chairperson will welcome you to the appeal, outline the procedure and introduce other Panel Members, the Presenting Officer and the Clerk
- II. The Presenting Officer will begin by explaining why your child was not offered a place at St Joseph's School. If you or the Panel wish to ask any questions on what has been said you can do so.
- III. The Chairperson will then ask you to put your case. Members of the Panel will have already read your written reasons for appeal but you will be able to discuss these again if you wish. It is important that you tell the Appeals Panel everything that is relevant to your case. The Panel and the Presenting Officer can then ask you questions.
- IV. The Chairperson will give the Presenting Officer and you the opportunity to sum up your case before s/he asks you both to leave. This is the end of the hearing.
- V. The Panel will then discuss the appeal and the Clerk will remain with the Panel to record the decision.

How is the Decision Made?

When reaching a decision the Appeal Panel will go through two stages (where there are multiple appeals being heard Stage One of the process will often be conducted in the presence of all those who have appealed. You will be informed before the hearing if this process will be adopted).

Stage One

At the first stage of the appeal, the Panel will consider the case provided by the Admission Authority and whether the school's published admission arrangements were correctly applied in your case. The Panel also decides whether "prejudice to the provision of effective education or the efficient use of resources" (known as "prejudice") would arise if another child were to be admitted to the school. In other words, if another child was admitted over the published admission number what effect this would have on the school e.g. on staffing, school organisation, problems with furniture, computer equipment or other resources. You will have an opportunity to question the Admission Authority's case.

The Panel must also decide whether the school's published admission arrangements comply with the mandatory requirements of the School Admission Code and Part 3 of the School Standards and Framework Act 1998. You will also have an opportunity to question this. If it is clear that your child would have been offered a place at the school if the admission arrangements had been correctly implemented, or that the school could accommodate one more pupil without causing prejudice, then the Panel will allow your appeal at this stage.

Where there are other parents/guardians appealing for a school place these are called "multiple appeals". If the Panel finds that all the appeals could be allowed before prejudice would occur, then all the appeals must be allowed at the first stage. If your appeal is not allowed at this stage then the Appeals Panel must move onto the second stage.

Stage Two

This stage is described as the balancing stage, and at this point you will be asked to present your case for wanting your child to be admitted to St Joseph's School. The Panel will then have to balance your reasons against problems that would be faced by the school (or "prejudice") if your child were to be admitted. The Panel will have to consider the consequences to the school, and other children in the school if they were to allow your appeal (for example, overcrowding or health and safety issues).

If the Appeal Panel decides that your case is stronger than the school's case, and you are the only person appealing for a place at the school, the Appeal Panel will allow your appeal at the second stage.

Where more than one appeal is being heard and the Panel finds that there are more cases where the parents' cases are stronger than the school's case the decision making will be slightly different. The Appeal Panel may make comparisons between individual cases and decide which children to allow a place for.

Letting you know the decision

The Clerk will write to let you know of the Panel's decision - usually within 5 school days. Where there are many appeals (which is often the case with Year 7 transfer appeals), you will be told at the hearing when you should receive the decision.

The decision of the Appeal Panel is final and binding and can only be overturned by the courts where the appellant or AA are successful in applying for a judicial review of the decision. The Education Funding Agency (EFA) can consider complaints of Panel maladministration but is unable to deal with complaints where a person simply feels that the decision of the Appeals Panel was wrong.