



GUIDANCE FOR PARENTS/CARERS ON THE INDEPENDENT ADMISSION APPEAL HEARING PROCESS

FOR CATHOLIC VOLUNTARY AIDED SCHOOLS IN KNOWSLEY, LIVERPOOL, SEFTON, ST HELENS AND WIGAN LOCAL AUTHORITIES

INDEPENDENT ADMISSION APPEAL HEARING

The Panel

The Independent Panel (the decision-making body) consists of three people and is completely independent of the school.

The Clerk

Advising the Appeals Panel is the Clerk who ensures that the appeal hearing is conducted fairly. The Clerk is completely independent of the school and of the Children's Services Department of the Local Authority. The Clerk pays no part in the decision-making process.

School Representative

Also present is a representative from the school to which you are appealing for a place. This will normally be the Head teacher, Chair of Governors or Chair of the Admissions Committee of the School's Governing Body.

Attendance at the Hearing

The Appeal Panel will hear each case individually and you are encouraged to attend the hearing in person. This will enable you to give a detailed explanation of your case and give members of the Panel the opportunity to ask you questions. Although it is a formal hearing and part of the legal system, it is conducted as informally as possible. If you do not wish to attend, the Appeal Panel will make a decision on the basis of:

- The written evidence you have provided
- A written and/or verbal statement given by the School's Representative about the reasons why your child was not given a place at the school

Documentation Supporting documents may include any correspondence with the school, letters of support from any source and any medical evidence.

IT WOULD BE HELPFUL IF YOU DID NOT INCLUDE ANY PAPERS, INCLUDING CERTIFICATES, RELATING TO YOUR CHILD'S ACADEMIC OR SPORTING ABILITY AS THESE ARE NOT RELEVANT TO THE APPEAL

HEARING. ALSO, PLEASE DO NOT SEND IN PHOTOGRAPHS OF YOUR CHILD AS THEY CANNOT BE PRESENTED AS PART OF YOUR CASE.

If you do not indicate whether you will be attending the hearing, the Appeal Panel will decide to hear your appeal in your absence provided you have had 14 days' notice of the hearing. If you cannot attend you may ask for the hearing to be heard at a later date. If you indicate that you will be attending but fail to turn up at the hearing, every effort will be made to contact you. If we are unable to contact you the Panel will hear the appeal in your absence.

In some cases it is not always possible to give parents the suggested 14 days' notice before the appeal hearing date. In these circumstances you will be asked to sign a waiver letter in which you agree to forego the statutory 14 days' notice in order to have a hearing on the specified date.

The Hearing

Your appeal will be heard in private and the proceedings are confidential.

The appeal hearing follows a set procedure. You may feel the meeting is very structured, as the Chair will be strict on who can speak and when questions can be asked. However, the Chair will always conduct the hearing in a friendly way and guide you through the whole process.

The Chair will:

- introduce the members of the Appeal Panel
- explain the role of the Clerk
- explain that the panel is independent and any decision it makes is final and will be binding on the admission authority
- explain how the hearing will be conducted
- explain the overall conduct of the hearing, including ensuring that everyone has the opportunity to state their case and to ask questions
- conclude the hearing by asking appellants if they have been able to raise all the issues they wanted and if there are any additional points they wish to raise

The Clerk will notify all parties of the order of proceedings in advance of the hearing, generally as detailed below:

(a) The School's representative will put the case for the admission authority (School Governing Body)

(b) The Appeal Panel and you may then ask questions of the School's representative

(c) You will then be asked to give your case

(d) The Appeal Panel and the School's representative may then ask questions of you

(e) The School's representative will sum up their case

(f) You will sum up your case

If there are several appeals for the same school, the Appeal Panel will make its decision at the end of all the appeals timetabled.

The Clerk remains but has no involvement in the decision making process. He/she will be there purely to assist the Appeal Panel on matters of evidence or procedure and to record the decision.

After the decision has been made the Clerk will write to you as soon as practicable. You will not be told the decision at the hearing.

The Decision-making Process

The Panel considers the appeal in two stages, (except in cases of admission appeals to Key Stage 1 – Reception, Year 1 and Year 2 of primary schools where class size prejudice is involved).

Stage 1 (Factual Stage)

The Panel considers firstly whether the School's published admission arrangements comply with the mandatory requirements of the Admissions Code and secondly whether they were correctly applied in the individual's case. They then decide whether "prejudice" would arise were the child to be admitted. If prejudice is proved, the panel moves on to the second stage.

Stage 2 (Balancing Stage)

At this stage the Panel exercises its discretion, balancing between the degree of prejudice and the right of the parental factors, before arriving at a decision.

PLEASE NOTE

- Parents can only make one appeal application per academic year
- The decision of the appeal panel is binding both on the school and the parents whatever the decision might be
- If you think there may have been maladministration in the way in which the appeal was conducted, you can contact the Local Government Ombudsman:

The Local Government Ombudsman Telephone: 0300 061 0614

PO Box 4771 0845 602 1983

Coventry

CV4 0EH E-mail: advice@lgo.org.uk

USEFUL INFORMATION

Department for Education

For a more in-depth guide to Admission Appeals you can log on to the DfE website and download a copy of the Admission Appeals Code of Practice or the Admissions Code of Practice at

www.education.gov.uk

Local Authority (LA)

For information relating to admission in your Local Authority you may find the following contact information useful:

Knowsley: Admission and Exclusion Team – 0151 443 5733/5708/5697

Liverpool: Admissions Department – 0151 233 3000

www.liverpool.gov.uk

Sefton: Admissions Section – 0151 934 3290/3291/3131/3253/3254

www.sefton.gov.uk

St Helens: Admissions Section – 01744 671028/671029

www.sthelens.gov.uk

Wigan: Admissions Section 01942 486037/486038/486039

www.wigan.gov.uk

If you need any further information or advice then please do contact us at the Archdiocese of Liverpool School's Department on 0151 522 1071 or e-mail us at aes@rcaol.co.uk and we will be happy to assist you in any way we can.