



Guidance for Parents/Guardians on the Independent Admission Appeal Hearing Process for Catholic Voluntary Aided Schools in Knowsley, Liverpool, Sefton, St Helens and Wigan Local Authorities

(last updated February 2024)

School Admission Appeals Guidance for Parents and Carers

If your child has been refused a place at your preferred school(s) by the Admissions Authority, you have the right to appeal against the Admission Authority's decision. For Catholic Voluntary Aided schools, the Admission Authority is the governing body. For Catholic Academies the Admission Authority is the Trust Board.

This guidance covers arrangements for parents and carers wishing to appeal against the admissions decisions. It should be noted that the guidance is not intended as a substitute for independent legal advice, and no liability is accepted if any of the information contained in it is incorrect or alters after publication.

Appeal arrangements are made in accordance with the appropriate legislation called the Schools Admission Appeals Code. This code can be viewed online at [School admission appeals code 2022](#)

The decision of an Appeal Panel is FINAL and legally binding on all parties.

Infant Class Size Appeals – Reception, Year 1 & Year 2

Under Government legislation, infant classes must not contain more than 30 pupils with a single qualified schoolteacher. If a place has been refused on the grounds of infant class size, an appeal can only be upheld if:

- a) The child would have been offered a place if the admission arrangements had been properly implemented.
- b) The child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and Part 3 of the School Standards and Framework Act 1998.
- c) The decision to refuse admission was not one a reasonable Admission Authority would have made in the circumstances.

The Panel is bound to dismiss cases which fall outside these circumstances.

Section 4.10 School Admission Appeals Code states:

The threshold for finding that an admission authority's decision to refuse admission was not one that a reasonable authority would have made is high. The panel will need to be satisfied that the decision to refuse to admit the child was 'perverse in the light of the admission arrangements' i.e. it was 'beyond the range of responses open to a reasonable decision maker' or 'a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied their mind to the question could have arrived at it'.

How to make an appeal

You should complete the online form at [Online appeal form](#)

It is important that you include on the form, every detail which you feel is relevant to your appeal. The form will be made available to the Appeal Panel before the hearing, and it is therefore important that you complete it carefully.

Documentation

You may wish to submit other documents as supporting evidence, depending on your grounds of appeal. This can include:

- Medical grounds – a letter or report from your family doctor or hospital, including any diagnostic information
- Change of address – evidence of your current or new address
- Social Services – a letter or report from a social worker
- Anything else that you consider relevant to support your case

Any additional information may be sent with your appeal form or submitted at a later date to aes@rcaol.org.uk. It must be received within a reasonable time prior to the hearing date (normally three working days). Any additional evidence received late may not be able to be considered at the appeal hearing. The Appeal Panel must decide whether it should be considered, taking into account its significance, and the effect of a possible need to adjourn the hearing.

When appeals are heard

Appeals within the 'normal admissions round' - Reception children (starting primary school for the first time) and children transferring from primary to secondary school (Year 7 entry) - these will be heard within 40 school days from the deadline for lodging appeals.

For late appeal requests/late applications, appeals should be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the individual appeal being lodged.

Applications for In-Year admissions, where an appeal is submitted during the academic year, appeals will be heard within 30 school days of the appeal being lodged.

You will normally receive at least 10 school days' notice of the appeal hearing, unless you agree, in writing, to a shorter period of notice. Wherever possible, at least 7 working days before the hearing you will receive a written statement from the Admissions Authority detailing why it has not been possible to allow your child to attend your preferred school. This will form the basis of the case for the Admissions Authority. You will also receive information about what will happen on the day of the hearing.

Attending the appeal

The hearings are held remotely via a private video link. Full details will be provided to you. Parents and carers are encouraged to participate in the appeal hearing wherever possible to present their case to the Panel and to clarify any points raised. If it is not possible for you to participate in the hearing you may appoint a representative instead. The appeal can also be heard in absence and a decision will be reached on all the written information which was available to the Panel.

If you cannot participate, you may ask for the appeal to be heard at a later date, although this cannot be guaranteed. If you indicate that you will be participating but cannot be contacted, the Panel may decide to hear the appeal in your absence. You can be accompanied by a friend, adviser, interpreter, or signer who may speak on your behalf at the hearing.

Who is present at the appeal hearing

- The **Independent Panel** (the decision-making body) consists of three people and is completely independent of the school.
- **Presenting Officer** is a representative from the school to which you are appealing for a place. They will present the case for why your child has not been allocated a place at their school.
- **The Clerk** advises the Appeals Panel and ensures that the appeal hearing is conducted fairly. The Clerk is completely independent of the school. The Clerk plays no part in the decision-making process.

What happens at 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 order of proceedings is generally as detailed below:

- The School's representative will put the case for the Admissions Authority
- The Appeal Panel and you may then ask questions of the school's representative
- You will then be asked to give your case and explain the reasons why you wish your child to attend the school in question
- The Appeal Panel and the School's representative may then ask questions of you
- The school's representative will sum up their case

- You will be given the opportunity to sum up your case

Both parties (i.e. school representative and parent(s) & carers) then leave the meeting.

In the case of multiple appeals in the same year group for the same school, the Appeal Panel will make its decision at the end of all the appeals timetabled.

After the decision has been made, the Clerk will write to you within five school days. You will not be told the decision at the hearing. In the case of multiple appeals for the same school, you will be notified as soon as is practicable after the Panel have made their decisions.

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 (see page 1)).

Stage 1 (Factual Stage)

Firstly, the Panel considers whether the school's published admission arrangements are lawful and secondly whether they were correctly applied in the individual's case. They then decide whether "prejudice" would arise were a child to be admitted.

If the Panel considers that the admission arrangements did not comply with the law or had not been properly applied which had resulted in a child not receiving a place, or if it feels that the admission of a child would not cause prejudice to the school then a place would be granted.

If prejudice is proved, the panel moves on to the second stage.

Stage 2 (Balancing Stage)

At this stage the Panel will balance the personal factors of your case against the level of prejudice for the school if a child is admitted.

Group appeals

Where there are a large number of appeals for a particular school and they are for the same year group, all parents may be invited to attend at the same time to hear the Admission Authority's general presentation. The Panel and all parents appealing for school places will then be able to put questions about the school's case to the representative from the Admission Authority.

The Chair will then ask everyone to leave. You and all the other parents will be invited back separately to make your individual cases at the dates and times you will have been allocated and during which you will be able to present your case. The Panel and the Admission Authority representatives will then be able to ask you questions.

The Panel do not make decisions on any of these appeals until after they have all been heard. They follow the same decision-making process outlined above.

PLEASE NOTE

- A second appeal cannot be heard for the same school for the same academic year unless there has been a significant change in your circumstances.
- If you think there may have been maladministration in the way in which the appeal was conducted, you will be provided with further details about what to do next in the letter notifying you of the result of your appeal.

USEFUL SOURCES OF INFORMATION

Department for Education

School Admissions Code is available online at [School Admissions Appeal Code 2022](#)

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Local Authority (LA)

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

Knowsley: Admissions Section – Primary & Secondary 0151 443 5142 / 0151 443 5143

In Year Appeals 0151 443 3372 / 0151 433 3373

www.knowsley.gov.uk/schooladmissions

Email: schooladmissions@knowsley.gov.uk

Liverpool: Admissions Section - 0151 233 3006

www.liverpool.gov.uk/admissions

Sefton: Admissions Section – 0151 934 3590

www.sefton.gov.uk/admissions

Email: admissions@sefton.gov.uk

St Helens: Admissions Section - 01744 6712030

www.sthelens.gov.uk/admissions

Email: schooladmissions@sthelens.gov.uk

Wigan: Admissions Section - 01942 489013

www.wigan.gov.uk/admissions

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