

*Weaver Trust*

Excellent practice for excellent outcomes

**Admission Appeals  
Guidance  
and  
Application Form**

## 1. Responsibility for Admissions

- 1.1 Weaver Trust is the admissions authority for the academies within the Weaver Trust.
- 1.2 All admission appeals within the Weaver Trust will be dealt with in accordance with the School Admissions Code 2014 and the School Admission Appeals Code 2012 (or as they may be amended from time to time).

## 2. Things to consider before completing your appeal form

- 2.1 For Weaver Trust schools you are asked to complete and return the attached appeal form to the Weaver Trust. You must state the 'grounds' on which your appeal is based. This means on your appeal form you should tick the relevant box and state your reasons why you feel the decision that was made to refuse entry was not correct. You should also state any other grounds that you wish the independent appeal panel to take into consideration.
- 2.2 You should consider when preparing your appeal whether to include copies of any supporting documentation. These are some examples of documentation that might support or corroborate statements in your appeal:
  - Letters or statements from doctors, other health professionals or social workers stating why your child must attend this particular school. Professional evidence should be provided by an individual who is suitably qualified to give a professional opinion on the medical or social circumstances
  - In circumstances where a change of address is relevant to your appeal, evidence confirming your change of address.
- 2.3 All supporting documentation must be provided at least seven days before the appeal. If you submit additional information during the appeal, the presenting officer from the Weaver Trust may seek an adjournment from the independent appeal panel. In certain circumstances this might require the hearing to be re-scheduled for a later date.

## 3. Grounds for appeal

- 3.1 In appeals you should consider either whether you have grounds to:
  - Substantiate that the Weaver Trust's admission arrangements do not comply with the mandatory requirements of the Schools Admissions Code (December 2014) and part three of the School Standards and Frameworks Act 1998; or that these arrangements have not been correctly and impartially applied, and had they been your child would have been admitted to your preferred school, or
  - That you can demonstrate that the prejudice (disadvantage) that your child will experience as a consequence of not being admitted to your preferred school exceeds the prejudice to the provision of efficient education or the efficient use of resources that would result were your child to be admitted to your preferred school.

## 4. Appeals Panels

- 4.1 Appeals panels have either three or five members. There are strict rules on who may and may not be a member of an admission appeals panel to make sure that the panel is independent and impartial. At all times, Weaver Trust will ensure that appeal panels are appointed in accordance with the School Admission Appeals Code 2012 (or as may be amended from time to time).

- 4.2 A clerk to the panel also attends the hearing. The clerk is there to see that the appeal is heard properly and to provide legal advice to the panel. An administrator also attends to take notes.

## **5. Appeals Hearings**

- 5.1 As the appeal process is a legal process, appeal hearings are structured hearings. However, appeal panels do try to keep appeal hearings as informal as they possibly can within the legal framework in which they have to operate.
- 5.2 Appeal hearings will be held at an appropriate and accessible location, and so far as possible, fairly local to your home town or area.
- 5.3 In terms of how the appeal hearing will be conducted:
1. First, the representative from the Weaver Trust will explain why it was not possible to meet your request for a place at your preferred school. You can ask questions if you wish. The panel will also ask questions.
  2. You will then have an opportunity to present your case and answer any questions about it from the panel and the Weaver Trust's representative.
  3. There will then be a summing up provided by the Weaver Trust's representative.
  4. You will then have the opportunity to provide a summing up.
- 5.4 You do not have to attend although many parents choose to do so. The panel will allow you to be accompanied by a friend or to be represented although government advice is that legal representation should not normally be necessary and that children should not generally be allowed to attend appeal hearings. Whilst appeals can be considered on the basis of your written information alone, the presence of a parent or representative at a hearing will enable the panel to obtain more information about a child's circumstances than is contained in written information alone. Such information, which a parent may not have considered to be relevant when he or she filled in the appeal application form or submitted documents in support of the appeal, could have a bearing on the outcome of the appeal. If you are unable to attend the appeal then it is important that you send in as much information as possible about your reasons for wanting a place at the school concerned.

## **6. Powers of Appeals Panels**

- 6.1 Once all the appeals have been heard, the appeal panel has the power to uphold or reject your appeal. In determining the outcome of your appeal, the appeal panel will at all times act in accordance with the School Admission Appeals Code 2012 (or as may be amended from time to time).

## **7. Appeals Process**

- 7.1 You should return your completed form, together with any documentation to the Weaver Trust using the contact details provided. The Weaver Trust allows appellants at least 20 school days from the date of notification that their application was unsuccessful to prepare and lodge their written appeal.
- 7.2 The Weaver Trust will acknowledge receipt of your appeal form and will make the necessary arrangements for the appeal. Notification of the date, time and venue for the hearing will be sent to you ten school days before the hearing.
- 7.3 A copy of your documentation will also be provided to the Weaver Trust presenting officer, who, together with the school, will prepare a written response to your appeal.
- 7.4 Your appeal form and all your additional documents, together with the response from the Weaver Trust presenting officer, will be sent to you no later than seven school days before the hearing. The independent appeal panel will also be sent the same information.

- 7.5 Following the hearing, the outcome of your appeal will be sent to you within five school days. Decisions of appeals panels are final and binding.

## **8. Timescales**

- 8.1 For applications made within the normal admissions round, the Weaver Trust will ensure appeals are scheduled to be heard within 40 school days of the deadline for lodging appeals.
- 8.2 For late applications, the Weaver Trust will ensure appeals are scheduled to be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being lodged.
- 8.3 For applications for in-year admissions, the Weaver Trust will ensure appeals are scheduled to be heard within 30 school days of the appeal being lodged.

## **9. Some further information about appeals**

- 9.1 Appellants do not have the right to a second appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the Weaver Trust has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission.
- 9.2 Appeals for more than one school will be considered at separate hearings. You may appeal for each school at which a place has been refused.
- 9.3 Further steps: if your appeal is not upheld and you consider there has been 'maladministration' in the way your appeal was handled you may complain to the local government ombudsman.
- 9.4 If you decide to appeal you are strongly advised also to seek a place at an alternative school in case your appeal is unsuccessful. Securing a place at an alternative school will not prejudice your right of appeal for any other school.

<h2 style="margin: 0;">School Admissions Appeal Form</h2>
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If you are appealing for more than one child or for more than one school please complete a separate form for each child and each appeal.

**You cannot appeal unless you have made an application for a school place and have been notified in writing of the reason why your child could not be admitted into the relevant year group.**

Please complete this form in black ink.

<b>Reason for Appeal (If your appeal is likely to be considered as an Infant Class Size appeal you must tick at least one of the following reasons):</b>	
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	Yes ✓
I do not believe that my child’s admission would breach the Infant Class Size limit leading to a requirement for the school to take qualifying measures	

Please give reasons:

I do not believe that the admission arrangements comply with admission law and had they been compliant my child would have been offered a place at the school	
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Please give reasons:

I do not believe that the admission arrangements were correctly and impartially applied, and had they been so my child would have been offered a place	
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Please give reasons:

I believe that the decision to refuse admission was not one which a reasonable authority would have made in the circumstances of the case	
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Please give reasons:

Please state any other grounds you wish to be considered. **This should include the grounds for all non Infant Class Size appeals** (other than issues relating to the admission arrangements or the administration of them which should be entered in the appropriate box(es) above).

(continue on a separate sheet if necessary)

### Supporting Information

If you wish to include supporting documentation, please send your evidence to the Weaver Trust using the contact details below, clearly stating your child's name and date of birth and which appeal the information relates to. **Please note: all supporting documentation must be provided at least seven days before the appeal.**

Name of school for which you wish to apply for a place	Year Group

### Child's Details

Child's Surname:	Child's Forename:
Date of birth:	Male/Female (please delete as appropriate)
School currently attending / last school attended:	
Date child left (if applicable):	

	Yes ✓	No ✓
Is the child 'looked after' by a local authority (in public care) or has previously been 'looked after' but ceased to be so because they were adopted (or became subject to a residence or special guardianship order)? If yes, please state which local authority and provide a contact number:		
Does your child have a statement of special educational needs?		
Is your child permanently excluded from school?		

### Parent, Guardian or Carers Details

Your name: (parent, guardian or carer) Mr/Mrs/Miss/Ms/Dr (please delete as appropriate)
Relationship to child: (please specify - parent/guardian/carer/other)
Do you intend to be present at the appeal hearing? Yes / No (please delete as appropriate)
Have you any special requirements i.e. wheelchair access/hearing problems? Yes/No If yes please give details:

Current Address:	Address to which you are moving: (if applicable)
Post code:	Post code: Date of moving:
E-mail address:	
Telephone contact numbers:	

Other Children		
If you have any other school age children, please give details below:		
Child's Name	Date of Birth	Name of Child's Current School

Any Other Specific Needs
Please give details:

Agreement
I wish to appeal against the decision of the Weaver Trust not to allocate a place for my child at the school named. I confirm that the information I have provided is accurate and correct and I understand that at the appeal hearing I will be open to challenge on the details and evidence I have provided.
Signed: ..... Date: .....

**For office use only**

Date received:

Please return this form to: Weaver Trust  
 Barnton Community Nursery and Primary School  
 Townfield Lane  
 Barnton  
 Northwich  
 Cheshire  
 CW8 4QL

Tel: 01606 74784  
 E-mail: admin@barnton.cheshire.sch.uk