

The Appeals Process – Primary

If you are not happy with the school we have offered you, you may appeal. It is strongly recommended that you accept the school that has been offered to you even if you decide to appeal for your preferred school. By accepting the school offered, you will guarantee a school place for your child. If you refuse the place, you are very likely to be further reducing the options which may be available to you. ***Accepting the place will have absolutely no bearing on the outcome of your appeal.***

The following procedure applies to appeals for Sandwell Community and Controlled schools only. If you wish to appeal for a place in any other school you should contact the appropriate school directly.

Appeals Panels for Voluntary Aided, Trust schools and Academies are convened by the Governing Body but are conducted in the same way, and to the same rules as those convened by the LA. For some schools Governing Bodies have contracted the appeals function to the LA. If you wish to appeal against a decision not to admit your child to a Community or Controlled Infant, Primary or Junior school please complete the appeal form enclosed with your letter of refusal. If you are unhappy with the school you have been allocated (even if it was your first preference) and wish to appeal, please contact the Admission and Appeals Service for an appeal form.

The Independent Appeals Panel

The Appeals Panel is independent of the Local Authority (LA) and individual schools. The Panel to consider appeals for Community and Controlled schools is arranged by Democratic Services of the Council. The Panel will consist of 3 or 5 members. You will be invited to attend to say why you would like your child to go to a particular school rather than the one offered. There will also be someone representing the Local Authority and a clerk from Democratic Services in attendance.

At the meeting the LA officer will explain why a place at the preferred school has been refused. You will then be invited to explain why you think a place should be given.

The decision of the Panel is binding on parents, the LA and schools. The Council, Councillors and even Members of Parliament are unable to change its decision.

Please note that as a result of the Government's policy to limit infant class sizes to 30, the circumstances under which an Appeal Panel can uphold an appeal are very limited. Where an infant class (Reception, Year 1 or Year 2) has reached 30 an Appeal Panel will be able to uphold an appeal only if:

- (a) the decision was not one which a reasonable admission authority would make in the circumstances of the case; or
- (b) the child would have been offered a place if the admission arrangements had been properly implemented; or

- (c) the child would have been offered a place if the admission arrangements had not been contrary to the mandatory provisions of the School Admissions Code and the School Standards and Framework Act 1998

- (d) Although it is not possible to publish exact details of when appeals will be held, the appeals process usually starts in May and will normally be complete by the end of July. In any event, appeals for places in Primary schools must be heard within 40 school days of the appeal being lodged. However, if your application was late your appeal will be heard within 30 school days of the appeal being lodged.

If you receive an offer of a place at a school which you have ranked lower than the school for which you wish to appeal or you are offered a place at a school for which you have not expressed a preference, you are strongly advised not to give up this place until the outcome of your appeal is known. Giving up a place will not improve your chances of your appeal being successful and you may be without a school place at all if your appeal is unsuccessful. In addition, if your appeal is not successful the options available to you may be limited at the time you receive the result of your appeal.

Independent appeals in respect of applications made for year groups other than Reception or Y3 transfer will be heard regularly throughout the year. Although the Council and Governing Bodies attempt to arrange meetings of appeals panels as quickly as possible, parents should note that it is unlikely that an appeal will be heard sooner than 30 school days from the date on which the appeal is lodged.