



ALL SAINTS

CATHOLIC COLLEGE

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Appeals Guidance for Parents

October 2022

1. Introduction

1.a Your right of appeal

If it has not been possible to offer your child a place at your preferred school, you have the right, by law, to appeal against the decision. Admissions for all Academy, Foundation and Voluntary Aided (faith) schools are administered by the school's Governors, as the Admission Authority. The right to appeal is given under section 94 of the School Standards & Framework Act 1998.

We understand how important making decisions about your child's education and schooling is to you. We know that deciding to appeal and going through the appeals process can be a worrying and anxious time.

With this mind, we hope that the information provided will serve to simplify and clarify the appeals system at All Saints Catholic College. You will find a step-by-step guide to making an appeal, taking you through each stage of the appeal process, explaining what happens at each point and telling you what you need to do.

1.b Deciding to make an appeal

If it has not been possible to offer your child a place at your preferred school, you may decide that you want to exercise your right of appeal against this decision.

When considering whether to appeal, it is important that you are aware that although the law allows you the opportunity to appeal against admission decisions, it does not give your child the right to a place at a particular school. There is no guarantee that your appeal will be successful. If you are appealing for a place at this school, you should make arrangements for a place at an alternative school in case your appeal is unsuccessful. Accepting a place at another school does not affect your right to appeal concerning a place at the school you would prefer.

The admissions arrangements for secondary schools in the Bi-borough area (Kensington & Chelsea and Westminster) are published in summary form in the annual composite prospectuses. The full arrangements are available in the 'determined admission arrangements'. These documents that relate to RBKC can be viewed on the following website:

Kensington & Chelsea schools: www.rbkc.gov.uk/schools/admissions

Admission Arrangements for All Saints Catholic College are published on the school's website.

2. Completing the Appeal Form

Forms are available to download from the school website and from the Admissions Officer by email on info@allsaintscc.org.uk.

Please complete the appeal form using black or blue ink.

Include as much information as you can in the section that asks you to give your reasons for wishing to appeal. Here, you should explain, as fully as you can, the reasons why you want your child to attend the school. If you do not think that your application has been treated correctly or fairly, or in accordance with the admissions criteria, then you should explain why you think this is the case. Attach additional paper if you need to.

If there are new medical or social factors involved in your reasons for appealing (i.e. which have arisen since your original application for the school was made) it is important that these are supported by a letter from a professional such as a doctor or social worker. This should be sent with your completed appeal form.

You may include any other letters, correspondence, written reports or documents to support your case.

Ensure that your form is returned by the required deadline, Friday 5th May 2023, directly to the Admissions Officer at the school:

Mrs M. Shortiss
All Saints Catholic College
75 St Charles Square
London
W10 6EL

Please make sure that you have included as much information as you can and that you have enclosed all the supporting documentation for your appeal. This is important because, if, for any reason, you do not attend the hearing then the panel will make a decision based on your written submission only.

Your completed form, and any additional papers that you submit with it, constitutes your written case for appeal. It will be sent to all members of the admission appeals panel in advance of the appeal hearing.

3. Preparing for your Appeal

The school will make arrangements for your case to be heard by an independent admissions appeal panel. Your appeal will normally be heard before Friday 30th June 2023.

You will receive notice, at least 10 school days in advance, of the time and place of your appeal. The hearing will normally last for about 15-20 minutes but there are no restrictions if more time is needed.

Before the hearing date you will also be sent the papers for your case. These will include:

- the names of the panel members and clerk (if not previously notified of these).
- a copy of your appeal form;
- a copy of any supporting information submitted with your appeal;
- a written statement from the school explaining how places were allocated at the school and why your child was not offered a place at the school;
- any further information specific to your individual case.

Before the day of the appeal hearing you might wish to prepare yourself by:

- Looking at the names
- Looking at the procedures for the hearing, outlined on the following pages
- Making a note of any questions you may have about your appeal
- Making sure you have looked at the school's case (which will be included in the papers you will receive prior to the hearing).
- Spending some time deciding what you would like to say when the panel invites you to explain your reasons for wanting your child to attend your preferred school. The panel will have already had the opportunity to read through your written statement and supporting documents prior to the appeal, so it will not be necessary for you to read out your entire appeal paperwork verbatim
- Reading your appeal form and ensuring that you have submitted all the paperwork to support your appeal
- Deciding who will attend the hearing: you may bring a member of your family, a friend or other representative with you to help you make your case or simply to give you support.
- If you need an interpreter or any other type of assistance to help you at your hearing, please ensure that you state this on your appeal form.

4. The Appeal Panel

4.a What is an independent appeal panel?

The law requires that the Admission Authority, in this case the school, must make arrangements for you to appeal to an independent appeal panel if you are not happy with the LA allocated school your child has been offered. The composition of the appeal panel and the procedures it follows when appeals are governed by School Admissions Appeals Code issued by the Department for Education.

The appeal panel can either refuse or allow your appeal. It has no other powers. The panel's decision is binding on you (the appellant) and the school.

4.b The Panel Members

Your appeal will be heard by a panel of three people who are completely independent of the school. The panel will include at least one person with experience in education or who knows about education conditions in the area, or is a parent with a child at a school. The panel will also include at least one "lay" member, who is someone who has no personal experience in managing a school or providing education, other than as a governor or in another voluntary capacity. None of them will have any present or past connection with the school, except they may have heard previous appeals for the school.

4.c Who will be present at the appeal hearing?

1. The panel members (three people). These are the only people who will be making a decision on your appeal.
2. Yourself (the appellant) and anyone else you may choose to bring with you.
3. A representative from the school. The school representative plays no part in the decision making process and is not present when the appeal panel make their decision.
4. The clerk to the appeal panel. The clerk is independent of the school and will be present when the decision is made (to take notes) but plays no part in the decision making process.

4.d Attending the appeal hearing

You are strongly advised to come to the appeal hearing as this is your opportunity to put your case to the panel. If you cannot attend, your appeal will be considered on the basis of whatever written information you have provided.

We recognise that some parents may find attending an appeal hearing a daunting experience. There are set procedures which must be followed but the proceedings will be as friendly and informal as possible. Everyone there will try to help you be at ease.

5. The Appeal Meeting

5.a What will happen on the day?

After introductions by the chair of the panel, the proceedings at the appeal hearing will follow the order set out below:

1. The case for the school, put forward by a representative from All Saints Catholic College. This will explain why your child has not been given a place at the school and the prejudice that will be presented to the school if it were to offer more than the school planned for.
2. You (or your representative) and the panel can then ask questions.
3. You (or your representative) will be asked to put your case. You should explain your reasons for wanting your child to attend the school. The appeal hearing is confidential and you should include all information that is relevant to your case. You will not be able to add anything after the hearing.
4. The school representative and the panel may then ask questions.
5. Summing up by the school representative.
6. Summing up by you or your representative. This is the opportunity to highlight the main reasons for your appeal or to add anything you may have forgotten.

After your appeal, you and the school representative will be asked to leave. The panel will then make their decision in private. The clerk will remain to note their decision.

5.b. The panel's decision

The appeal panel will consider all the information that you and the school representative have presented to the hearing. They will usually make their decision as to whether to allow or refuse your appeal on the same day as the hearing, or, if there is more than one appeal for the same school, on the day of the last hearing. The clerk will normally write to you to inform you of the panel's decision within five school days of the appeal hearing.

5.c How does the panel make their decision?

There is a two stage process for deciding these appeals.

Stage 1 – factual stage

The panel must consider if the school's published admission arrangements comply with the mandatory requirements of the School Admissions Code and Schools Standards and Framework Act 1998 and were

applied correctly in your case or if the admission of an extra child would 'prejudice' the provision of education at the school.

If the panel decides that the admission arrangements were applied incorrectly and that your child would have been offered a place had they been applied they will uphold your appeal. Similarly, if the panel decides that the admission of an extra child would not prejudice the provision of education at the school they will uphold your appeal. Otherwise the panel will go to stage 2.

Stage 2 – the balancing stage

The panel will consider your reasons for wanting your child to attend the school. They will decide whether your reasons for appealing for a place at your preferred school outweigh the school's reasons for refusing you a place.

5.d Multiple appeals

Multiple appeals are when a number of appeals have been received for the same school and it is decided to organise a grouped stage 1 hearing. When multiple appeals are grouped, the presenting officer's case (stage 1) is usually heard in the presence of all the appellants at the beginning of the hearing (or sometimes at the start of each day when a hearing runs over a number of days). Your case is then heard in private without the presence of other appellants. If this approach is used it may mean that you will need to attend the venue on two separate occasions.

The clerk will notify you in advance if a grouped hearing will take place and inform you of the date and time of the stage 1 hearing and your individual hearing.

As with the individual appeal approach, the panel will make their decision in private after all the hearings have taken place.

5.e. When will I hear the result?

The decision, together with the reasons for the decision, will be sent to you and the school in writing by the Clerk within five school days after all the appeals for your preferred school have been heard. The panel's decision is binding on you and the school.