

John Port School



Admissions Appeals Guidance

Revision Log	
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Policy Manager:	C Sainsbury - Headteacher
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Additional Notes
This policy links with: ▪

Summary of Changes		
Rev	Date of Revision	Detail of Changes
3	January 2017	Closing dates updated
2	Oct 2014	Closing dates updated

Admissions Appeals Guidance

Introduction

If your child has been refused a place at John Port School you have the right to appeal against that decision.

Before deciding whether or not to appeal against this decision, you are advised to think about:

The school's policy for admitting students (published in the How to apply for a place at Secondary School – a guide for parents).

Your reasons for wanting your child to attend the school and the strength of your case.

Making an Appeal

If you decide to appeal against the decision, you should either complete a form obtained from Derbyshire County Council and send it to John Port School or, alternatively, complete the form online at www.derbyshire.gov.uk/admissions. The Admissions & Appeals Team will then forward your appeal to the School.

Whichever method you choose, forms for decisions notified on 1 March 2017 must be returned by 29 March 2017 and forms for decisions notified after that date within 20 school days of receiving notification that the application was unsuccessful. If your form is not returned in time, it might not be possible for your appeal to be heard at the same time as the appeals of parents whose forms were returned by the deadline.

The following notes may help you in completing the enclosed appeal form.

In completing "Reasons for your choice of school" you should set out all the reasons for your appeal. You should think carefully about the original reasons you gave for wanting your child to attend the school and you can add more information if you want. It is important to reflect the views of your child in your submission.

You should include with the appeal form copies of any documents, information and evidence you wish the Panel to consider in support of your case. Any further evidence should be sent to the Clerk to the Panel c/o Mrs Dickerson, John Port School, no later than 7 days before the hearing. Information or evidence not submitted by the deadline might not be considered at the appeal. Written material and evidence must have been seen by all parties, so if it hasn't been sent to the Clerk in time to be included with the hearing papers the Panel must decide whether to consider it, taking into account its significance and the effect of a possible need to adjourn the hearing.

Before the Appeal Hearing

Appeal hearings for decisions notified on 1 March 2017 should be held within 40 school days of the deadline for lodging appeals and for in-year admissions within 30 school days of lodging the appeal.

You will receive written notification of the date and arrangements for the hearing from the Clerk to the Appeal Panel, at least 10 school days before the hearing, unless you have agreed to a shorter notice period.

Before the hearing the Clerk will send you and the Panel members copies of all the papers required for the hearing, including a written statement of how the school's admission policy has been applied in your child's case, the reasons for the admission authority's decision to refuse your child a place at John Port School, a copy of your appeal form and any additional information or evidence you have sent.

The Appeal Panel

The Panel which hears parents' appeals comprises of a chair and at least two other members, and must include at least one lay member and one person who has experience in education. The Panel is independent of the school and has the power to overturn the decision to refuse a place for your child at John Port School.

The Appeal Hearing

You are encouraged to attend the appeal hearing in order to hear and question the School's case, make your own case and clarify your written statement. You may, if you wish, be represented at the meeting by someone else, or accompanied by a friend. If you do not attend, the hearing may go ahead in your absence, and be decided on the written information submitted.

How the Appeal Panel Reaches its Decision

The Panel must follow a two stage process:

- First, the Panel must consider whether the school's published admission arrangements and the co-ordinated admission arrangements comply with the mandatory requirements set out in statute and in the School Admissions Code, and whether these arrangements have been correctly and impartially applied to your child. The Panel must also consider whether the admission of additional children at John Port School would prejudice the provision of efficient education or the efficient use of resources. At this stage the characteristics and circumstances of the particular child are not usually relevant. The onus is on the School to prove its case. The Panel must consider a number of factors which may include: what effect an additional admission would have on the school in the current and following academic years; whether any changes have been made to the school's physical accommodation or organisation since an admission number was set; the impact of the locally agreed Fair Access Protocol (for unplaced and vulnerable children); and the impact on the organisation and size of classes, the availability of teaching staff, and the effect on children already at the school. If yours is the only appeal being heard for the school in question, and the Panel is not satisfied that there would be such prejudice, or finds that the admission arrangements were not correctly applied, the Panel must allow your appeal. Where the Panel decides that the admission of an additional child would cause prejudice, it must go on to the second stage.
- At the second stage, the Panel must balance the prejudice to the school against your individual case. It must take into account your reasons for expressing a preference for the school, including what the school can offer your child that other schools cannot.

When there are a number of appeals relating to one school, the Panel must not compare individual cases unless it finds that there are more cases which outweigh the prejudice than the school can admit, in which case the Panel must compare all the cases and uphold the strongest.

Further Information

The Clerk to the Appeal Panel will send you full details about the appeals procedure when writing to give you a date for the hearing.

If you have any questions about the school admission appeals or about completing the appeals form, please contact Mrs Dickerson, School Admissions Officer, John Port School on 01283 734111 or email admin@johnport.derbyshire.sch.uk. Alternatively you can contact the Admissions & Appeals Team on 01629 537479 or email admissions@derbyshire.gov.uk.

If you wish to access independent advice or information on school admissions or appeals you can contact the Children's Legal Centre at www.childrenslegalcentre.com or ring the advice line on 0808 802 0008.

Please note: your completed appeal form will be acknowledged upon receipt. If you do not receive an acknowledgement within 7 working days, please contact the School.

WHERE TO RETURN YOUR APPEAL FORM

Mrs H Dickerson
School Admissions Officer
John Port School
Main Street
Etwall
Derby
DE65 6LU
Telephone 01283 734111
admin@johnport.derbyshire.sch.uk