

TELFORD & WREKIN EDUCATION APPEALS PANEL

PROCEDURE FOR HEARING ADMISSION APPEALS

- ❖ The hearing of your admission appeal will be in **PRIVATE** before a Panel of three.
- ❖ The Local Education Authority will be represented by an officer from Children & Young People who may be accompanied by a colleague. (Please note where the School is its own admission authority the school will make its own representations to the Panel on behalf of the governing body.)
- ❖ Parents are encouraged to attend to present their case and can be accompanied by a friend or representative, who may speak for them.
- ❖ The Clerk to the Appeal Panel will be present to advise the Panel on legal and procedural matters and to record their decision.
- ❖ The conduct of the proceedings is at the discretion of the Appeal Panel and **normally** the following procedure will be followed:-
 - ◆ Introduction by the Chair of the Panel
 - ◆ The case for the admission authority
 - ◆ Questioning by the parents
 - ◆ The case for the parents
 - ◆ Questioning by the admission authority
 - ◆ Summing up by the admission authority
 - ◆ Summing up by the parents
- ❖ The Panel members may ask questions at any time if they require clarification of what is being said or if they need information in order to reach a decision.
- ❖ The Appeal Panel will consider their decision in private (the Clerk will remain to record the decision).
- ❖ Parents will be notified of the decision in writing by the Clerk.

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- ❖ The Appeal Panel may adjourn any case:-
 - ◆ to enable a parent to attend,
 - ◆ to receive further significant evidence,
 - ◆ because of illness or absence of a member of the Panel,
 - ◆ or for any other appropriate reason.

- ❖ The Code of Practice states that it should not **normally** be necessary for witnesses to attend, although the Appeal Panel may, at its discretion, allow witnesses to give evidence provided it is relevant and not repetitive.

- ❖ The decision of the Appeal Panel is binding on the Local Education Authority or Governors by or on whose behalf the decision under appeal was made.

- ❖ Where there are a number of appeals in relation to preferences for the same school, no decision will be made until all the appeals have been heard.

- ❖ A copy of the Code can also be downloaded from the Department for Education website at:

<https://www.gov.uk/government/publications/school-admissions-appeals-code>

Contact for further information

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GENERAL INFORMATION FOR PARENTS/GUARDIANS

The Panel

The Appeal Panel is established under the School Standards & Framework Act 1998. It is independent of Telford & Wrekin Council, and determines appeals by parents against the decision of the Local Education Authority or School Governing Body (if the school is its own admissions authority) not to offer a place for their child at their preferred school.

The Panel hearing your appeal will consist of three persons. At least one of these must be a lay member – this means a person without personal experience in the management of any school or the provision of education in any school (other than as a school governor or any other voluntary capacity). The Panel must also comprise of at least one independent member – this means a person who has experience in education or who is acquainted with educational conditions in the area. The third member of the Panel can be either a lay or an independent person.

The decision of the Appeal Panel is binding upon all parties. If the Panel upholds an appeal, it has the power to allocate a place at that school for a child, notwithstanding the fact that the school's admission limit has been reached.

The Hearing

You are entitled to be accompanied or represented at the hearing by a friend or advisor who can be a Choice Advisor, or locally elected politician or an employee of the Local Education Authority such as an education social worker, SEN advisor or learning mentor, provided this will not lead to a conflict of interest. Alternatively you can be represented by a solicitor or barrister, although the Code of Practice Published by the Department for Children Schools and Families suggests legal representation ought not to be necessary.

It is not compulsory for parents to attend the meeting of the Panel, but it is clearly in their interests to do so. The hearing can be conducted in their absence on the basis of the information supplied **if parents confirm in advance that they wish the appeal to be heard without them present.**

There is no restriction to the time allowed for your appeal, but a hearing usually lasts for about 40 minutes. The decision of the Panel in respect of your appeal will normally be communicated in writing within 7 days.

The result of your appeal will depend on the strength of your case. In most admission appeals, the panel goes through two stages **(for infant age children the process is different – please refer to the separate advice sheet).**

In the first stage, the Panel hears the case put by the admission authority, explaining why it did not offer you a place at your preferred school. (The phrase sometimes used is "whether the admission would be prejudicial to efficient education or efficient

use of resources”). An example of this might be where the school has very small classrooms and could not fit your child in without making the space too cramped for good teaching and learning.

At the second stage of the appeal, the Panel hears your case and why you are appealing against the decision. You can mention all the reasons why that school would be the best for your child, and what special factors justify your child getting a place in spite of the Authority turning you down. If the Panel decides there was a good reason for turning down your application it then makes a “balancing judgment”, and decides whether the benefits to your child of going to the school you are appealing for instead of the school you have been offered outweighs the effects on the school and the other children of having another pupil in the class. If the appeal Panel decides that your case is the stronger, it will uphold your appeal. The admission authority is then under a duty to admit your child to the school. (Please note in appeals for grammar school places the Panel may also be asked to consider an appeal where the appellant believes that the child did not perform at their best on the day of the entrance test and, as a consequence, did not reach the required academic standard. The Panel must be satisfied that there is evidence to demonstrate that the child is of grammar school ability and, where applicable, the appellant’s arguments outweigh the admission authority’s case that the admission of additional children would cause prejudice).

Further Information the Panel may Require

If the grounds of your appeal include medical reasons, the Panel will usually require written confirmation from your doctor. You should obtain this from your doctor for presentation to the Panel either at, or in advance of, the meeting.

If the grounds of your appeal include a change of address, the Panel will usually require evidence to this effect. You are recommended to bring with you evidence such as a solicitor’s letter confirming an exchange of contracts, new rent card etc.

Your appeal form stating the grounds of your appeal will be submitted to the Panel. If you so wish, you may send a further written submission for the Panel to consider. If you intend to do so, please send the information as soon as possible in order that it may be brought to the attention of the Panel before the meeting.

Please note that where there are persons with parental responsibility not residing at the address shown on the attached letter, it is the recipient’s responsibility to notify and/or consult with those other persons at all stages in relation to this appeal.

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Appeals FAQ

Is the building COVID - 19 safe?

Yes, Telford & Wrekin Council have put in place considerable measures to ensure the building is safe for everyone. Social distancing rules will still apply along with consistent cleaning of stations. You will be asked to sanitise your hands upon arrival and as you leave. We encourage you to wear a face mask to ensure you have maximum protection.

Please do not attend your appeal if you or a member of your household are feeling unwell or if you have tested positive for COVID - 19. If you or a member of your household have a temperature, new continuous cough and/ or a change in/loss of smell or taste and you are due to attend for an appeal then please do not attend and contact the Democracy team immediately.

Do I have to attend my appeal hearing?

No, but you are strongly advised to attend. You are the best placed person to tell the Appeal Panel why you want your child to go to your preferred school(s) as you know your personal situation and will be able to provide information to help the Panel make an informed decision. The appeal hearing is your chance to have your say. **Important** – If you, or someone who can put your case for you, cannot attend and another date cannot be arranged, your case may be heard in your absence and your appeal will be decided on the written information that you provided when you submitted your appeal form.

Can I have my appeal at an earlier date?

Appeal dates follow strict deadlines meaning they are scheduled in order of when we receive them. We are usually unable to bring the date forward however this may be possible if we have an earlier appeal withdrawal.

How early should I arrive?

Please arrive 15 minutes before your appointment so that you are able to check in at reception.

Can I bring my children?

Your children are welcome to attend however please be aware that the panel may ask you personal questions about your circumstances with your child present all information shared in the appointment is treated as confidential.

What information do I need to provide? What do I say in my appeal hearing?

The appeal hearing is your opportunity to explain why you feel your child should have a place at the school or college in question. If you have documentation to support your case, such as medical documents, evidence of religion/faith or other supporting documents then these should be provided ahead of the hearing date to allow everyone to view them.

The hearing itself will allow for everyone present to speak and you will also have the opportunity to ask questions and this will be explained to you at the start of the appeal.

Who will be attending the appeal hearing?

- You and your partner, a friend, or representative
- The Appeal Panel (Consisting of 3 independent members)
- The Clerk
- Presenting Officer from the school / admissions team

Appeals FAQ

If I appeal does my child move up the waiting list?

No. Your child's position on the waiting list will not be affected when appealing.

Will my child lose their place on the waiting list if I have an appeal or if I withdraw my appeal?

No, your child's position on the waiting list will not be affected

If my appeal is unsuccessful, can I appeal again?

You cannot appeal again for the same school in the same academic year unless you have had a significant change of circumstances. You may apply for the same school in a new academic year.

What do I do if I have a disability or impairment that causes me problems understanding the documents provided?

Please contact the Democracy team via the details provided on your appeal letter, and we will assist wherever possible.

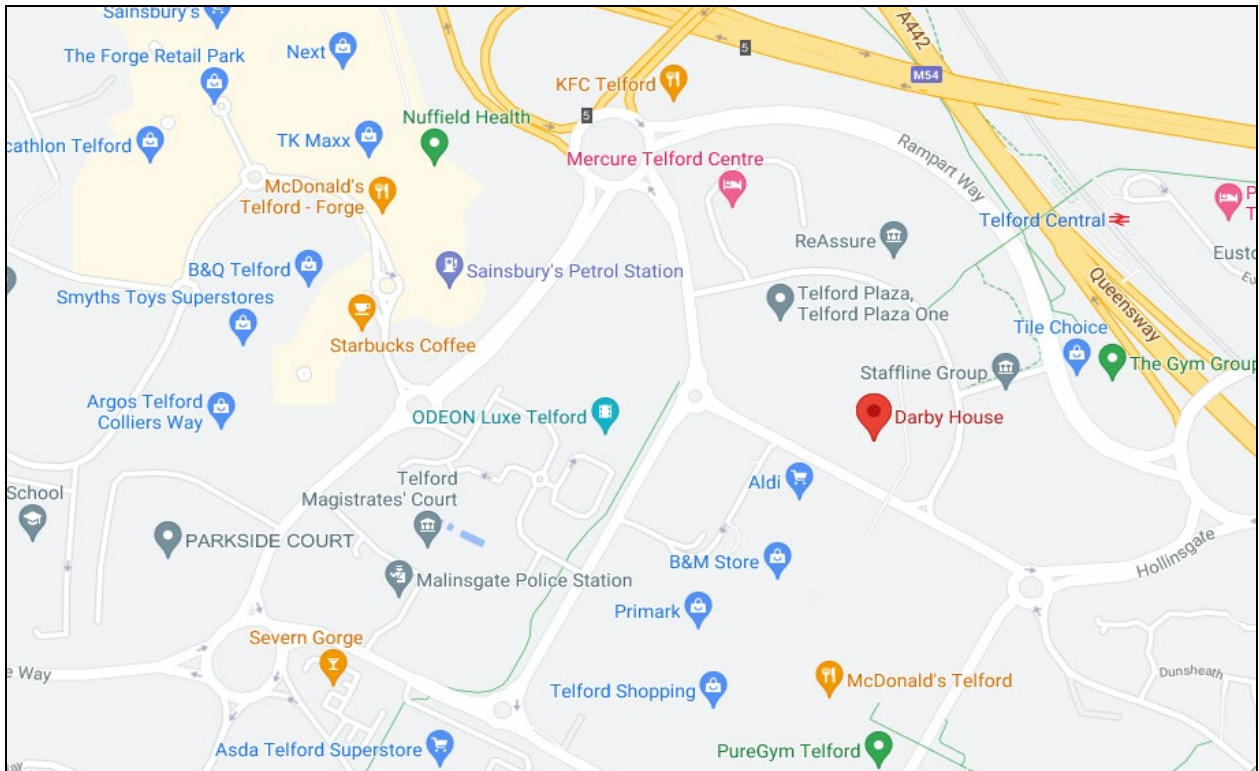
English is not my first language and I struggle a bit with documents and/or I may have difficulties understanding everything in the appeal, what can be done?

If you have difficulties with printed or spoken English you are welcome to bring a friend or representative who can translate and help you understand the appeal on the day. If you have no-one that can help please contact the Democracy team who may be able to make arrangements to assist. Equally, if you require assistance with the documents provided the Democracy team may be able to assist.

What do I do if I have a question about the appeal process that is not on this list?

You can any direct queries about the appeal process to the Democracy team via the details provided in your letter.

HOW TO FIND US



By road: There are a number of town centre pay and display car parks within walking distance of Darby House.

The A5, A442 and M54 links at Telford and provide access to the midlands motorway network: M40, M42, M5, M6, M6 Toll and M1.

Finding us using satellite navigation or online address finders: If you wish to use satellite navigation system, address finding software or use a website to get directions to our buildings, please enter our postcode as **TF3 4JA**.

By bus: Telford Town Centre bus station is a short walk from Darby House. There are a number of bus routes to Telford Town Centre. Please visit <https://www.arrivabus.co.uk/midlands/bus-travel-in-telford>

By train: Telford Central Railway Station is located on Euston Way which is accessed via the A5, A442 and M54 and offers frequent direct services to the midlands and Wales. Approximately 10 minutes' walk from Darby House. The station can be easily reached by car, taxi, or bus. Visit <https://www.nationalrail.co.uk/>



There are parking spaces for disabled (blue badge holders) in the Visitors' Car Park at Darby House. The meeting room is on the ground floor and is fully accessible.