

HEALING SCHOOL



A Science Academy

Guide to the School Admission Appeals Procedure

Healing School – A Science Academy
Low Road, Healing, Grimsby, DN41 7QD
Tel: 01472 502400
Fax: 01472 502401
Email: office@healing-school.co.uk
Website: www.healing-school.co.uk

Notice of Appeal under section 94(1) of the School Standards and Framework Act 1998 against the admission authority's admission decisions not to offer a school place at a community or voluntary controlled school maintained by North East Lincolnshire Council or The Local Authority's decision on behalf of the Governing Body/Academy Trust of an Academy, not to offer a place at that school.

Parents/carers are advised to read this guide carefully before completing the Notice of Appeal Form. This guide, in conjunction with the notice of appeals form, is to enable parent/carer(s) to appeal against the admission authority's decision to refuse their child's admission to the school of their preference.

This leaflet does not deal with admissions decisions made in respect of pupils who have an Education Health and Care Plan (EHCP). In these cases, parents/carers should contact the SEN Assessment & Review Team on (01472) 323170.

INTRODUCTION

Parents/Carers have been given the opportunity to express a preference as to the school they wish their child to attend. It is the policy of North East Lincolnshire Local Authority and of the Governing Bodies of Voluntary Aided, Foundation Schools and Academies, to meet these preferences where this is possible within the annual published admission number (PAN) set for each primary and secondary school in North East Lincolnshire. Where applications for a school exceed this PAN, then a number of factors are taken into account in deciding which children shall be offered places. These factors are set out in general terms in the Local Authority's publication "Your New School - A Guide for Parents" available from the School Admissions Team.

Where the Local Authority or Governing Body has been unable to offer a school place, parent/carer(s) are given the right to appeal.

If you wish to submit an Admission appeal relating to Healing School – A Science Academy, you should contact the School who will send a form for you to complete and return.

I have been refused a place at my preferred school. What should I do now?

You will have been sent a letter from the admission authority which will explain why you have been refused admission to the school of your choice. The letter will explain that you have the right to appeal to an **Independent Appeal Panel**. The letter will have a form with it that you should complete to say you want to appeal. You should include **ALL** the reasons why you wish your child(ren) to attend your preferred school.

GROUNDS FOR APPEAL

There are many reasons under which you may wish to appeal. If you are appealing under the admission authority's criteria for admission, you will need to bear the following in mind: -

Change of Address - If you are basing your appeal on the fact that you will be moving into the catchment area of the school of your preference, then you will need to provide documentary evidence (e.g. exchange of contracts or rental agreement) that your change of address is permanent.

Note: The Admissions Authority will wait for formal evidence of the change of address before arranging an appeal hearing.

A Sibling Connection - Included in this factor are brothers or sisters, half brothers or sisters, adopted brothers or sisters, stepbrothers or sisters or the child of the parent/carer's partner living at the same address and who will be attending the school at the expected time of admission.

Medical Reasons - You will need to provide a letter from your family doctor, health visitor or hospital to support your case. If you would like the appeals panel to consider your case on medical grounds, they will need to know how the medical condition will affect your child while at school, and why there is a medical need to attend your preferred school.

TIMETABLE FOR APPEALS

Parents/Carer(s) will be informed in writing of the date, time and place of the appeal hearing. Not less than 3 school days before the hearing, parents /carers will receive a written statement from the admission's authority explaining the application of the admissions policy to the child's case, commenting on the parents' / carers' grounds of appeal and the reasons why it was not possible for the child to be admitted to the school of the parents' / carers' preference. All phased (primary to secondary, infants to junior, starting school for the first time) appeals will be heard within 40 school days of the published deadline. However, pupils transferring from Primary to Secondary schools whose appeals are submitted by the published deadline of 31 March 2022; pupils starting school for the first time or transferring from Infants to Junior schools whose appeals are submitted by the published deadline of 19 May 2022 will be heard first followed by subsequently submitted forms.

Please Note: - Appeals are arranged to be heard during the hours of 9am to 4pm Monday to Friday only. Appeals are not arranged during the month of August, on any bank holidays or during the Christmas/New Year period.

HOW TO APPEAL

- a) The form - Notice of Appeal - should be completed by the parent/carer(s) and sent to the Harbour Learning Trust Authority, Healing School, Low Road, Grimsby, North East Lincolnshire, DN41 7QD.
- b) The receipt of the form will be acknowledged by the Admissions Authority.
- c) Parents/Carer(s) will subsequently be informed of the time and place of the appeal hearing.
- d) Not less than 3 days before the hearing, parents /carers will receive a written statement from the School Admissions Authority explaining the application of the admissions policy to the child's case.

Who would be on an Appeal Panel?

The appeal panel will normally consist of no more than three members, at least one of which must be a lay member i.e. a person without personal experience in the management of any school or the provision of education in any school. The remaining members will be drawn from a list of ex-teachers, parents / carers of registered pupils at a school or general members of the public. No member will have any direct connection with the school, appellant or the Admissions Authority.

The Chairperson and members of appeals panels are drawn from a list of applicants and appointed by Healing School but are independent to the school.

Do I need to attend the hearing?

It is in your best interest to attend the appeal hearing. The panel will be able to check any details that are not clear on your written statement. If you decide not to attend, the panel will make their decision on the information available to them.

Can I bring anyone with me to the appeal?

You can be accompanied by a relative or friend. It is not necessary to bring your children with you, but arrangements will be made to accommodate them, should the need arise. Although it is not necessary for you to be represented by a solicitor, you can be if you wish.

What will happen at the Appeal Hearing?

When you enter the Appeal Hearing you will be joined by a presenting officer from the Admission Authority who will explain to the Appeal Panel why your child was refused a place at your preferred school.

The Admission Authority's case will be based on a variety of statistical information which will expand on the reasons set out in the Admission Authority's statement, which will be sent to you, at least, seven days in advance of your appeal date. You will have the opportunity to question the presenting officer of the admission authority, as will the panel. If the admission authority's case is accepted, then you will be asked to present your case. The panel and/or the presenting officer may then ask you questions for which they need clarification. The hearings are held in private. There will be a Clerk to the Appeal Panel who will take notes and offer legal advice to the panel.

The panel may adjourn the hearing in circumstances where this seems appropriate. Appeals will normally be held in private, but in appropriate cases the panel may arrange to hear more than one appeal in relation to the school at the same time. In this case the Admission Authority may present its general case and (unless any appellant objects in relation to his/her own appeal) the appeals may be heard in the presence of the other appellants.

In the case of a normal admission appeal the Panel needs to determine whether, on balance, the case put forward by the parent/carer outweighs the case put forward by the Admission Authority.

When will I get the result of the Appeal Hearing?

Decisions will **NOT** be issued on the day of the Appeal Hearing.

You will be asked to contact the Local Authority, by phone, after 10:00am on a nominated day. You will be issued with the relevant details prior to your appeal hearing. The Clerk to the Appeal Panel will then write to you as soon as possible (usually within seven days of the hearing) to tell you the result of your appeal. If you are unsuccessful at appeal, the letter will also state the reasons why you were unsuccessful. Please note where there are hearings for the same school the decisions will not be issued until all the appeals have been heard.

The decision of the appeals panels is binding on the appellant and the admissions authority.

Where it has not been possible to comply with the parents'/ carers' preferred choice of school, the pupil's name will be placed on a waiting list from which casual vacancies at the school may subsequently be filled in accordance with the Admission Authority's published criteria for allocating places.

Can I appeal again if I am not satisfied with the result of the hearing?

The procedure for school admission appeals is aimed at ensuring all parents/carers feel they have had a fair hearing - even when the decision is not in their favour.

If your appeal has been unsuccessful, you will not be able to appeal again for your preferred school until the next academic year or unless there is a 'significant and material change' in your circumstances.

There is no right of appeal against the decision of the Appeal Panel. You can write to the Secretary of State. They cannot review decisions of individual appeal panels but can consider: -

- whether the admission authority has correctly constituted the Appeals Panel; and
- whether the admission authority has acted reasonably in exercising functions in respect of the appeal process.

If you feel there has been maladministration in the way your appeal has been handled, you can ask the Local Government Ombudsmen or the Department of Education to investigate. If they find there has been maladministration that caused injustice, it is likely that they will propose a fresh appeal be heard with a different panel. Any party may also have recourse to judicial review. Parents/Carers wanting advice on this should seek their own independent legal advice.

USEFUL ADDRESSES

North East Lincolnshire Council, School Admissions, Civic Offices, Knoll Street, Cleethorpes DN35 8LN. Tel: 01472 326291 (option 4) Email: schooladmissions@nelincs.gov.uk

Lincolnshire County Council, The School Admissions Dept. (Tel: 01522 553212), Children's Services, County Offices, Newland, Lincoln, Lincolnshire, LN1 1YQ or www.lincolnshire.gov.uk