

Information for parents on appeals

Note: This information relates to all appeals where the infant class size limit does not apply.

How to Appeal

You can appeal to an independent appeal panel against the decision not to offer your child a place at any school.

Appeals for Community, Voluntary Controlled, Academy and Foundation schools

If you want to appeal you must read the advice on the following pages before completing the online appeal form. Please attach any documents in support of your appeal or send them to the School Organisation Team at the following address:

School Organisation Team
People Directorate
Wigan Council
PO Box 100
Wigan
WN1 3DS

If you send in your appeal by post you will receive written acknowledgement. If you do not receive this please contact the School Organisation Team on 01942 489013.

Appeals for Voluntary Aided (Church) Schools

Catholic Schools in the Liverpool Archdiocese

If you want to appeal or have any questions about appeals you should contact:

The Schools Department
LACE
Croxteth Drive
Sefton Park
Liverpool
L17 1AA

Website <http://www.liverpoolcatholic.org.uk/schools/Appeals>

Email aes@rcaol.co.uk

Telephone 0151 522 1071

Church of England Schools and Catholic Schools in the Salford Diocese

If you want to appeal you must read the advice on the following pages before completing the online appeal form. We will forward your appeal to the school. You should receive a written acknowledgement of your appeal from the school. If you do not receive this please contact the school.

Timescales for hearing appeals

Main intake appeals Appeals lodged by the deadline will be heard within 40 school days.

In year appeals Appeals will be heard within 30 school days of being lodged. Please note this does not include school holidays.

What will happen at the appeal?

If you decide to appeal against the decision not to offer your child a place at your preferred school the appeal will be heard by an independent Appeal Panel.

In determining your appeal, the panel must follow a 2 stage process:

Stage 1: establishing the facts

The panel must consider whether the admission arrangements were correctly and impartially applied to your child. This means that the panel must consider whether the admission arrangements complied with the mandatory provisions of the School Admissions Code or the relevant legislation, and if they were properly applied in your child's case. If the admission arrangements were not compliant and/or were not properly applied in your child's case AND your child would have been offered a place if they had been, then the panel should allow your appeal.

If the Panel decide the admission arrangements were correctly and impartially applied, the panel must then consider whether the efficient provision of education or the efficient use of resources would be prejudiced by the admission of your child or, if there are several appellants for the same school and year group, by the admission of all the children appealing. If the panel consider that there would be no prejudice if all of the children appealing were admitted to the school, then it should allow all the appeals. However, if the panel consider that there would be prejudice if your child or all the children appealing were admitted, then it must go on to the second stage.

Stage 2: balancing the arguments

The panel must consider whether your grounds for your child to be admitted outweigh any prejudice to the school. The panel must take into account your reasons for expressing a preference for the particular school (for example, why you want that school in particular and what it can offer your child that others cannot).

In situations where several children are appealing for the same school and year group, this stage involves the panel considering, for each individual case, whether the appellant's grounds for admission to the school outweigh any prejudice to the school. If there are several cases which outweigh the prejudice to the school and merit admission, but the panel decides that the school could not cope with that number of successful appeals, the panel must then compare all of the cases and decide which of them to allow.

If the panel decide that the prejudice to any child appealing does not outweigh the prejudice to the school, then the panel should refuse that appeal.

Independent Appeals Panel Decision

The Panel will make their decision once all the appeals for the particular school being held before that Panel have been heard. You will be notified in writing as soon as possible – usually within 5 working days – after the decision. You should not telephone the Council or school for the decision.