



Holyhead

Teach What Matters

Admissions and Appeals Policy

2021/2022

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ADMISSION OF STUDENTS

Holyhead is an Academy, co-educational, admitting students in Year 7 (roll 1324) and Sixth Form (roll depending on applications)

Policy and Numbers

Students will be admitted at age 11 without reference to ability or aptitude. The number of intended admissions for Year 7 in 2021 will be 210.

Children with Educational Health Care Plans (EHCP)

Are required to be admitted to the school that is named in the EHCP. This gives any such child overall priority for admission to the named school.

Over Subscription

Where applications for admission exceed the number of places available, the following criteria will be applied in the order set out below to decide which children to admit:

Criteria	1. Looked after or previously looked after children, including those who have been in state care outside of England and ceased to be in state care as a result of being adopted.
	2. Children with a brother or a sister already at the academy who will still be in attendance in September 2021.
	3. Children of staff at the school where a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made or b) the member of staff is recruited to fill a vacant post for which there is a demonstrable shortage
	4. Children who live nearest the academy. Within each of these categories, priority is given to those who live nearest the academy, calculated on the basis of a straight-line measurement between home and academy.

<p>Children with a statement of special educational needs/EHC Plan</p>	<p>Any child with a statement of special educational needs/Education Health and Care Plan is required to be admitted to the academy that is named in the statement/plan. This gives such children overall priority for admission to the named academy. This is not an oversubscription criterion.</p>
<p>Looked after or previously looked after children</p>	<p>Children who are looked after or immediately after being looked after became subject to an adoption, child arrangement order or special guardianship order. This includes any child / young person who is subject to a Full Care Order, an interim Care Order, accommodated under Section 22(1) of the Children Act 1989, is remanded or detained into Local Authority accommodation under Criminal Law or who has been placed for adoption.</p> <p>All previously looked after children including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted (IAPLAC - internationally adopted previously LAC)</p> <p>In the case of previously looked after children, admission authorities may request a copy of the adoption order, child arrangements order or special guardianship order and a letter from the local authority that last looked after the child confirming that he or she was looked after immediately prior to that order being made.</p>
<p>Sibling</p>	<p>Siblings (brothers or sisters) are considered to be those children who live at the same address and either:</p> <ul style="list-style-type: none"> i. have one or both natural parents in common; <p>or</p> <ul style="list-style-type: none"> ii. are related by a parent's marriage; <p>or</p> <ul style="list-style-type: none"> iii. are adopted or fostered by a common parent. <p>Unrelated children living at the same address, whose parents are living as partners, are also considered to be siblings.</p> <p>Children not adopted or fostered or related by a parent's marriage or with one natural parent in common, who are brought together as a family by a same sex civil partnership and who are living at the same address, are also considered to be siblings.</p>
<p>Distance</p>	<p>Distances are calculated on the basis of a straight-line measurement between the applicant's home address and the main school gates. The Local Authority uses a computerised system, which measures all distances in metres. Ordnance Survey supplies the coordinates that are used to plot an applicant's home address and the address of the academy.</p> <p>A student's home address is considered to be a residential property</p>

	<p>that is the child's only or main residence at the time places are allocated and is either;</p> <ul style="list-style-type: none"> • Owned by the child's parent(s), or the person with parental responsibility for the child; • Leased to or rented by the child's parent(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration. • Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.
Shared Responsibility	<p>Where parents have shared responsibility for a child, and the child lives with both parents for part of the week, then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to support the address used.</p> <p>If a school is allocated on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place is liable to be withdrawn.</p>
Final Qualifier	<p>In a very small number of cases it may not be possible to decide between the applications of those students who are the final qualifiers for a place, when applying the published admission criteria.</p> <p>For example, this may occur when children in the same year group live at the same address, or if the distance between the home and academy is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the Published Admission Number for the child's year group to be exceeded, the Local Authority will use a computerised system to randomly select the child to be offered the final place.</p> <p>In the event of this occurring with twins or other multiple birth applicants, academies will be asked to admit over their Published Admission Number to accommodate the students.</p>
Waiting Lists	<p>Waiting lists will not be fixed following the offer of places. They are subject to change. This means that a child's waiting list position during the year could go up or down. Any applicants will be added to the academy's list in accordance with the order of priority for offering places. Waiting lists will be maintained until the end of each academic year.</p>
Appeals	<p>Where parent/carer(s) are not satisfied with the school allocated, arrangements exist for appeals to be heard by an Appeals Panel,</p>

	<p>which is independent of Holyhead School.</p> <p>Appeals in respect of Admission to Holyhead School should be sent to the Consultant Clerk to the Governing Body at the school's address, in accordance with prescribed procedures.</p>
In Year Applications	<p>Applications made outside the normal admissions round (in-year admissions) should be made directly to the academy. Parents/carers can apply for a place for their child at any time and to any academy. On receipt of an in-year application, the academy will notify the local authority of both the application and its outcome, to allow the local authority to keep up to date with figures on the availability of academy places in Birmingham.</p>

In-Year Admissions

The school will follow the same process for in-year admissions as for admissions at the start of the academic year.

2021 only - the school will publish a link to the LA's in-year admissions arrangements on the school website by 31 October 2021

After 2021 only - the school will publish a link to the LA's in-year admissions arrangements on the school website by 31 August each year.

Applications

All applications from Parents/Carers of Year 6 students must be submitted to the Local Authority in accordance with their outlined procedure and by the date specified. After that date, all applications should be submitted to the school.

Late Applications (Year 6 transfer to Year 7 for September 2022 entry)

Any applications for secondary schools received after 31st October 2021 (the final closing date) and before the 1st March 2022 (allocation of school places) will be treated as late applications by the Local Authority.

Any request to change the order of preference or to apply for any other school after the final closing date will be treated as a late application. Late applications will only be considered for places after other applications that were received by the final closing date. Therefore, late applicants may be less likely to be offered a place at one of their preferred schools.

Late applications for over-subscribed schools made up until 31 August 2022 are required to be submitted on a Birmingham Local Authority Preference Form and a Notice of Appeal against Admission Form. The circumstances relating to the late application must be given in writing and attached firmly to the preference form.

Late applications for over-subscribed schools received after the allocation of places (1st March 2022) may then be considered but only at the discretion of Holyhead

School as the admission authority, which will use its discretion only in exceptional circumstances, for instance, where the child and the person with parental responsibility have moved home.

Late applications for over-subscribed schools made between 1 September 2021 and 31 December 2021 will be required to be submitted on a Notice of Appeal against Admission Form which can be obtained from the Local Authority.

Late applications made on or after 1st January 2022 should be made direct to Holyhead School and do not need to be made on the Local Authority preference form.

All school places are offered on the basis that the information provided is correct. The school reserves the right to withdraw any offer on the basis of a fraudulent or intentionally misleading application.

Admissions Criteria for Holyhead Sixth Form

Every year a proportion of students from Year 11 enter the Sixth Form to continue their studies and students from other schools and colleges may be eligible to join them.

Sixth Form Capacity

September 2022 – Year 12	125
Year 13	125

Internal applicants

Priority for places is given to students in Year 11 currently on roll who meet the entry requirements for Sixth Form courses.

If the number of applications exceeds the admission number, the Governors will give priority to applications in accordance with the criteria in the order listed, depending upon applicants achieving the relevant entry requirements for individual subjects.

External applicants

Applications from internal candidates who meet the academic requirements will be considered first.

For external applications the remaining places available on a particular course will be offered to those who have the better grades at GCSE or subject specific requirements.

Advice and guidance

All students will receive advice and guidance to support them in making the correct post-16 choices.

Academic entry requirements

All students are required to meet the following academic entry requirements to be considered for a place at Holyhead Sixth Form:

Year 1 of A Level/Level 3 BTEC courses (including Applied 'A' levels):

- A minimum of 5 GCSEs at Grade 4/C and above (to include Maths and English at Grade 4 or above)
- A Grade 6 (or Grade 6 in Maths and English) in a subject studied at GCSE for which they intend to study at A Level, e.g. History A Level requires a Grade 6 in History at GCSE, Maths and Science A levels require a Grade 7.

With the school no longer entering students for external AS Level exams there is an additional entry requirement for students to continue into the Year 13 part of a course in individual subjects, based on their performance through Year 12 culminating in their end of year exams:

- A minimum of Grade D and above from their end of Year 12 exams in the subject if studied at A Level
- A minimum of a Merit in BTEC/Level 3 Applied General/Technical subjects

(Students not meeting these requirements for a subject will be provided with an alternative subject option)

Over subscription criteria

The over-subscription criteria of looked after children, siblings and distance will only be used if the number of external candidates exceeds the amount of places the school is able to admit.

1. Looked after Children (in public care)

Children who are looked after or immediately after being looked after became subject to an adoption, child arrangement order or special guardianship order. This includes any child / young person who is subject to a FullCare Order, an interim Care Order, accommodated under Section 22(1) of the Children Act 1989, is remanded or detained into Local Authority accommodation under Criminal Law or who has been placed for adoption.

2. Siblings

Children (siblings) with an older brother or sister already at the school who will still be in attendance at the time the sibling enters the school.

Siblings (brothers or sisters) are considered to be those children who live at the same address and either:

- a. have one or both natural parents in common; or
- b. are related by a parent's marriage; or
- c. are adopted or fostered by a common parent

Unrelated children living at the same address, whose parents are living as partners, are also considered to be siblings. Children not adopted or fostered or related by a parent's marriage or with one natural parent in common, who are brought together as a family by a same sex civil partnership and who are living at the same address, are also considered to be siblings.

3. Children of staff at the school

- a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made or
- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable shortage

4. Children who live nearest the school

Thereafter, children will be admitted on the basis of distance between their home address and the school gate on Milestone Lane. Distance will be calculated according to a straight line measurement between the applicant's front door to their home and the school gate on Milestone Lane (as the crow flies).

In a very small number of cases it may not be possible to decide between the applications of those students who are the final qualifiers for a place, when applying the published admission criteria.

For example, this may occur when children in the same year group live at the same address, or where there are twins, or if the distance between the home and school is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the legal limit to be exceeded, the local authority will use a computerised system to randomly select the child to be offered the final place.

A student's home address is considered to be a residential property that is the child's only or main residence at the time places are allocated and is either;

- a. Owned by the child's parent/carer(s), or the person with parental responsibility for the child or
- b. Leased to or rented by the child's parent/carer(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Where parent/carer(s) have shared responsibility for a child, and the child lives with both parent/carer(s) for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parent/carer(s) may be requested to supply documentary evidence to support the address used for the allocation.

If a student is allocated a place on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place is liable to be withdrawn.

Appeals

Where applicants are not satisfied with the school's decision, arrangements exist for appeals to be heard by an Appeals Panel, which is independent of Holyhead School.

Appeals in respect of Admission to Holyhead Sixth Form should be sent to the Consultant Clerk to the Governing Body at the school's address, in accordance with prescribed procedures.

Unsuccessful applicants will be informed of their right to appeal and asked if they wish to go on to Holyhead's waiting list, which will be held for at least one term in the academic year of admission.

Waiting List

Children named on the waiting list will be ranked in the same order as Holyhead's published over-subscription criteria.

Should places become available at Holyhead, an offer to students from the waiting list will be made.

Inclusion on Holyhead's waiting list does not mean that a place will eventually become available. It may be that those already allocated places do not give them up and that Holyhead is unable to make further offers in the future.

Admissions Appeal Panel

Introduction

This Panel was constituted by the Governing Body (hereafter referred to as the Admission Authority) in accordance with the School Standards and Framework Act 1998, the Education Act 2002, Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995, Human Rights Act 1998 and the Code of Practice on School Admission Appeals.

1. The Admissions Appeal Panel comprises three or five members and is entirely independent of the Governing Body which, as the Admission Authority, made the decision that is being appealed against.
2. The members appointed to the Admissions Appeal Panel must come from the following categories:
 - a) People who are eligible to be lay members. This means people without personal experience or management of any school or the provision of education in any school (disregarding experience as a school governor or in any other voluntary capacity). There must be at least one lay member of the Admissions Appeal Panel.
 - b) People who have experience in education; or who are acquainted with educational conditions in the area; or who are parent/carer(s) of a registered student at another school. At least one member of the Admissions Appeal Panel must fall into this category.

Procedure

3. The Consultant Clerk to the Governing Body, or representative, acts as the Committee's Clerk. The Consultant Clerk is responsible for convening meetings of the Admissions Appeal Panel at a time suitable to the members and any individuals appearing before it, circulating to members before the meeting all the relevant papers, making a record of the proceedings of the meeting, and recording the Panel's decisions and the reasons for them. The Consultant Clerk will not participate in the deliberations of the Panel but will be present at the time to advise on procedural matters.
4. The parent/carer(s) will have been advised of the reason why their application for their child to attend Holyhead School had not been granted.
5. When parent/carer(s) have been advised of the unsuccessful outcome of their application for their child to attend Holyhead School, parent/carer(s) will also have been informed that they can give notice of appeal. Those parent/carer(s) who do so, will be sent an Appeals Pack. This will consist of:
 - a) An Admission Appeal Form and the date by which it must be returned

- b) A copy of the Admissions & Appeals Policy which includes:
 - The Constitution and Procedure of the Admissions Appeal Panel
 - The Criteria for Admission
 - c) The school's statement which will also be presented to the Appeals Panel
6. The Consultant Clerk is responsible for ensuring decisions are received by the appellant.

Basis of Appeal

7. The Admission Authority has a duty to comply with an expressed parental preference of parent/carer(s) for their child to attend Holyhead School unless to do so would:
- a) prejudice the provision of efficient education or the efficient use of resources
 - b) be incompatible with the approved admission arrangements
 - c) admit a student who has already been permanently excluded from two or more schools

Notices of Appeal – Procedure for Parent/carers

8. An appeal should be made in writing to the Consultant Clerk of the Admissions Appeal Panel setting out the grounds on which it is made.
9. The appeal should be accompanied by any copy documents which the appellant intends to produce.
10. The appeal should be lodged in accordance within the time specified and not more than 20 school days from the date of notification to parent/carer(s) that their application for a place at the school was unsuccessful.
11. On receipt of a notice of appeal by parent/carer(s), the Admissions Appeal Panel:
- a) will afford the appellant the opportunity of appearing and making oral representation
 - b) will allow the appellant to be accompanied by a friend/adviser or be represented by a friend/adviser
 - c) will allow the Admission Authority to make written and oral representations
12. Parent/carer(s) are encouraged to attend. However, they are hereby advised:
- a) that they may elect not to attend in which case the Admissions Appeal Panel would rely on their written statements
 - b) that, otherwise, if they do not attend and it is not reasonably practical to offer an adjourned hearing date, the appeal will have to be held and decided on what information is available
 - c) the child will not normally be in attendance

13. Unless the appellant has consented in writing to a lesser period, the appellant will be given at least fourteen (10) school days' notice to the date of the meeting of the Admissions Appeal Panel at which the appeal is to be heard.
14. At least seven (7) school days before the hearing the Consultant Clerk to the Admission Authority will dispatch to the parent/carer copies of further information or documents that are to be put before the Admissions Appeal Panel. Substantial new issues raised for the first time at the hearing may have to be adjourned to allow any party taken by surprise to consider the issues.

Organisation of Appeals

15. The Admission Authority wishes to emphasise the overriding need for fairness to each individual, and the need to ensure that each appellant is exercising a genuine right of appeal in accordance with the principles of natural justice.
16. The Admissions Appeal Panel will consider all appeals before making and announcing any decisions.
17. As the Admission Authority has decided that the Admissions Appeal Panel should have a membership of three or five persons, the absence of any member during the proceedings and when a decision is reached, may invalidate those proceedings. The decision on an appeal must be taken by the full Admissions Appeal Panel. If, therefore, a member has to withdraw before the decision has been reached, a new Admissions Appeal Panel will need to be appointed to consider the appeal.

Conduct of Hearings

18. Although part of the legal system, the atmosphere at a hearing will be one of informality where the parties can put their case simply.
19. At the start of the hearing the Chairman will welcome the parties, introduce those present, explain the Consultant Clerk's role (i.e. giving procedural advice to the Admissions Appeal Panel, recording its decisions and the reason(s) for them, notifying the parent/carer(s) accordingly but not taking any part in the decision-making process), the Presenting Officer, stress the informal nature of the proceedings, and state that the decisions of the Admissions Appeal Panel are binding upon the Admission Authority.
20. The Order of Hearing will normally be:
 - a) the case for the Admission Authority not to admit the child will be submitted by the Presenting Officer (not a member of the Admissions Appeal Panel) who must present their decision as clearly as possible, giving all the relevant information. The Officer will be prepared to answer detailed questions about the case being heard and questions about the school and its admission arrangements
 - b) questioning by the parent/carer(s)
 - c) the case for the parent/carer(s)
 - d) questioning by the Admission Authority
 - e) summing-up by the Admission Authority

- f) summing-up by the parent/carer(s)

(Any member of the Admissions Appeal Panel may ask questions at any time if they require clarification of what is being said or if they need more information in order to reach a decision, but such questions must be put before the summing-up process commences)

NB The Admissions Appeal Panel will not allow oral information to be submitted to them in the absence of the appellant, nor will it consider written matter unless it has been sent by the appellant.

Private Hearing

- 21. All appeals will be heard in private.
- 22. All appeals will be held individually.

Decisions of the Admissions Appeal Panel

- 23. The “two stage process” applies to all prejudice appeals:
 - a) a **Factual Stage**: at which the Panel considers whether the school’s published admission arrangements were correctly applied in the individuals’ case, and decides whether ‘prejudice’ would arise were the child to be admitted. The onus at this stage is on the representative of the Admission Authority
 - b) a **Balancing Stage**: for the Panel to exercise its discretion, balancing between the degree of prejudice and the weight of the parental factors, before arriving at a decision.
- 24. The decision of the Admissions Appeal Panel on any appeal is binding on the persons concerned and on the Admission Authority. It can only be overturned by the Courts.
- 25. The decision of the Admissions Appeal Panel and the grounds on which it was made will be communicated by the Consultant Clerk, in writing, to the appellant and the Admission Authority within seven days.
- 26. The decision will state, in relation to an unsuccessful appeal, that admission to the school cannot be given for whatever reasons were accepted by the Admissions Appeal Panel, specifying:
 - a) if it would prejudice the provision of efficient use of resources
 - b) if it would be incompatible with the approved admissions arrangements
- 27. In either event the decisions will be fully and clearly expressed and be capable of being understood by a lay person.
- 28. Although parent/carer(s) who have appealed unsuccessfully can reapply for a place at the school in a later academic year, and have the right of appeal if unsuccessful, no further appeal will be considered during the current academic year unless there has been a significant material change in the

circumstances of the parent/carer(s), child or school relevant to a further application.

29. Parent/carer(s) should be aware that a complaint may be made to the Secretary of State for Education for Local Government Ombudsman if they consider the Admission Authority has acted unreasonably or failed to discharge duties imposed on them by Education Acts in exercising all the relevant responsibilities falling upon it in relation to admission to the school. **This is not a right of appeal and must be related to mal-administration and not on the belief that the decision is wrong.**
30. Parent/carer(s) should note, however, that the Secretary of State should not be regarded as a further “court of appeal” in terms of dissatisfaction with the decision of the Admissions Appeal Panel; his/her responsibilities are concerned with specific complaints as indicated in the previous paragraph and his/her powers of intervention are extremely limited.

Definition of Terms

31. In this Memorandum the term ‘parents’ is deemed to include the guardians of a child, and whilst used in the plural, applies equally to one-parent families.

Review

32. This policy will be reviewed annually by D Reddy.

Written Case for Appeals' Hearings

Holyhead School is an extremely popular 11-19 co-educational academy, purpose built in 1977 to allow for the admission of 180 students in each year and 70 staff.

The school, in attempting to meet the needs of the local community, has endeavoured to satisfy demand by offering places to 210 students in each year group and the school now has over 180 staff. This has caused accommodation issues. Overcrowding has caused problems and our admission limit will need to be maintained at 210 students per year as an absolute maximum for the immediate future.

Although the school's popularity is a tremendous accolade for all associated with Holyhead, there needs to be an appreciation and acceptance by Admissions Appeal Panels that every additional student over and above the 210 limit adds substantially to the demands of our already crowded school. Many of the classrooms available for use are below average size and this has necessitated dividing our intake into 8 rather than 7 groups teaching groups in Years 7, 8, and 9, with considerable consequential on-costs. Despite this, demand for places has still resulted in classes of around 30 in some subject areas. This is unacceptable in rooms that are barely fit for purpose at present was confirmed by the local authority's decision to include Holyhead in the BSF programme. Due to the on-going accommodation problems the school was due to be rebuilt completely in January 2010. However, once again, funding was withdrawn at the last minute.

Many specialist areas including Science Laboratories and Technology rooms are in need of refurbishment and will not meet health and safety requirements if the number of students continues to rise.

The school has major concerns regarding the sheer number of students centred on corridors and stairs at change of lessons. This has health and safety implications and often inhibits an effective start to many classes. The school must be one of only a few in the UK with no hall and therefore school assemblies are only possible through hiring an external venue!

Holyhead has a disproportionate number of students on the Special Educational Needs register for Learning and Social and Emotional Difficulties. This includes **11 students with Education Health Care Plans** and further students under consideration for this support. Unlike many schools in the North West of Birmingham, Holyhead does not have a designated Learning Support Unit, nor does it benefit from **external funding** monies which are of great assistance to schools in managing admissions, especially for students with behavioural problems.

Our **Student Support Team** have considerable caseloads and waiting lists. We currently make use of external agencies to support behaviour. Again, caseloads are at capacity with a number of students awaiting a referral. This has led to many students' needs not being met effectively.

In summary, Governors have major concerns about the admission of any further

students through the Appeals process. Since September 2005, Holyhead has taken a large number of students through Appeals and Fair Access Protocol and following referral from the North West Shared Provision Panel, some of whom have been permanently excluded from other schools.

Teaching classes of around 30 is not appropriate in ensuring students are able to access learning effectively. Governors, Parents and Professional Associations are very concerned about this situation at present. Governors feel any further admissions over and above the agreed limit would be incompatible with the efficient education of students currently on roll.

Admissions Arrangements and Appeals During the Coronavirus (COVID-19) Pandemic

Statement of Intent

During this difficult period, we are committed to fulfilling our statutory duties without disruption - this includes taking steps to ensure our admission appeals procedure can continue.

In accordance with the government's emergency regulations which temporarily revise the relevant regulations, the school has made the necessary amendments to our Admissions Policy.

This appendix outlines how the school manages admissions appeals during the coronavirus (COVID-19) pandemic, in line with the government's new guidance.

The information in this appendix should be reviewed regularly to ensure any local and national updates and information from the government can be reflected accordingly.

1. Legal Framework

1.1 This policy has due regard to all relevant statutory guidance and legislation, including, but not limited to:

- DfE (2012) 'School Admission Appeals Code'
- DfE (2020) 'Changes to school admission appeals due to coronavirus'
- DfE (2020) 'Changes to the admission appeals regulations during the coronavirus outbreak'

2. Key Changes

2.1 Face to face appeal hearings can now take place, where possible, unless a participant has to self-isolate following a positive test or where government guidelines indicate it is not safe to do so. Where it isn't reasonably practicable to hold face-to-face hearings for reasons related to the COVID-19 pandemic, hearings should be conducted by telephone or video conference. Where telephone or video conference is not possible, appeals conducted entirely on the basis of written submissions are acceptable.

2.2 The temporary regulations will apply until 30 September 2022.

2.3 Where a panel member needs to withdraw part way through the appeals process and it is not reasonably practicable for the panel to be reconstituted in the normal way for a reason related to the incident of transmission of COVID-19, a panel made up of at least 2 members can continue to consider and determine the appeal.

3. Appeals

3.1 The admission authority will prepare for appeals to be conducted in the normal way after the end of January 2022, and the relevant timetable for

2022 will be prepared in the normal way and published by 28 February 2022.

- 3.2 When the admission authority informs a parent/carer of a decision to refuse their child a place, the admission authority will include the following information:
- The reason why admission was refused
 - Information about the right to appeal
 - The deadline and contact details needed to make an appeal
 - That parents will need to set out their grounds for appeal in writing

3.3 Appeal Timescales

3.3.1 The deadline for appeals to be lodged is at least 20 school days after the notification that a place has not been allocated.

3.3.2 The appeals must be heard within 40 school days of the deadline for lodging appeals.

3.3.3 10 school days' notice of the hearing must be given to appellants.

3.3.4 The appellant must file any additional evidence at the latest, 1 week prior to the hearing.

3.3.5 Late appeals will be heard within 40 school days of the deadline for lodging appeals where possible or within 30 school days of the appeal being lodged.

3.3.6 A timetable for appeals must be published on the school website by the 28th February.

3.3.7 Decision letters will be sent within 5 school days of the appeals being heard.

4. Membership of the appeals panel

- 4.1 During the ongoing pandemic, members of the appeals panel will only be appointed if they have, or can be provided with, the necessary equipment and facilities.
- 4.2 Admissions panels are made up of at least three people. In the event a member of the panel has to withdraw due to the coronavirus, e.g. they are required to self-isolate, the remaining two members will continue to consider and determine the outcome of the appeal regardless of their background.
- 4.3 If a panel member withdraws, the clerk will make a note of the reasons for their withdrawal in the record of the proceedings.
- 4.4 If the Chair of the appeals panel withdraws, the admission authority or clerk (on behalf of the admission authority) will appoint a new chair from the existing appeals panel.
- 4.5 In the event more than one member of the panel withdraws and leaves only one member, new panel members will be appointed so that the panel is constituted in the normal way. Where this has happened, any part-heard appeals will be reheard.

Training of the panel

- 4.6 Where it is not possible for panel members to undergo full training, e.g. if it is delivered in face-to-face sessions, the admission authority will find alternative ways of ensuring training can be completed in accordance

with section 1.10 of the 'School Admission Appeals Code.'

- 4.7 The admission authority will ensure the panel and clerk have a full understanding of the temporary regulations and how the new process will work.

5. Appeals hearings

- 5.1 The chair of the appeals panel will ensure that all appeals, whether conducted remotely or not, are private, that all parties can hear everything that is said, and that all parties have an equal chance to participate.
- 5.2 Appeal hearings will be conducted via telephone or video conference or, where this is not possible, they will be conducted entirely based on written submissions.
- 5.3 Appeals panels can only hold appeals hearings remotely if they are satisfied the following criteria are met:
 - The parties will be able to present their cases fully
 - Each participant has access to video or telephone facilities allowing them to engage in the hearing at all times
 - The appeal hearing can be heard fairly and transparently
- 5.4 The clerk to the appeals panel will contact appellants as soon as possible after receiving their appeal to explain the temporary arrangements in place - where possible, the clerk will contact the appellant by phone.
- 5.5 Before appeals are conducted via video conferencing software, the chair of the appeals panel will consult the ICT technician regarding the security and privacy terms and conditions of the platforms being used. All necessary security features will be utilised before appeals take place.
- 5.6 If the officer presenting the case for refusing the admission does not attend the meeting, the appeals panel will consider the case using the evidence submitted by the admission authority so long as the panel is satisfied that doing so will not disadvantage the appellant.
- 5.7 In the event that the appellant does not participate in the meeting, and it is impractical to rearrange, the appeals panel will review the written information submitted.
- 5.8 Appellants will retain the right to be represented or accompanied by a friend even during a remote hearing.
- 5.9 Where necessary, reasonable adjustments will be made in accordance with the Equality Act 2010. The clerk is responsible for recording all requests for reasonable adjustments as part of the appeal record.

6. Appeals decided on written submissions only

- 6.1 The following process will be used to when making a decision on an appeal on the basis of written submissions only:
 - The clerk will contact the appellant and presenting officer in line with the appeals timetable. The presenting officer should be provided with a copy of the appeal lodged and asked to submit the admission authority's evidence - the appellant should be given the opportunity to submit additional evidence in writing (preferably email) if they wish.
 - The panel and clerk should meet remotely, e.g. by telephone, to formulate questions for the appellant and presenting officer.

- The clerk sends the questions and all relevant documents to each of the parties, e.g. the appellant receives the presenting officer's submission and vice versa.
- The appellant and presenting officer should reply to all the questions and add any additional points they wish to make. Once these answers have been sent back to the clerk, the clerk will send them on to the other party. Any information not submitted by the relevant deadline may not be considered.
- The panel meets remotely to discuss the answers and considers all the information in order to reach their decision.

7. Appeals by the governing board against LA decisions to admit twice-excluded children

- 7.1 The governing board will make appeals (in writing) against LA decisions to admit twice- excluded children within 21 calendar days after the day it is given notice of the decision.
- 7.2 Appeals by the governing board will be heard remotely where necessary.

8. Maladministration complaints

- 8.1 If a parent/carer believes they have evidence of maladministration, their complaint will be heard in line with the normal procedures and section 5 of the 'School Admission Appeals Code.'