

## ADVICE FOR PARENTS

The result of your appeal will depend on the strength of your case. In most admission appeals, the panel makes its decision in two stages.

In the first stage, the panel considers the case put forward by the admission authority, explaining why it did not offer you a place at your preferred school. The panel decides whether there was a good reason for turning down the application (the phrase sometimes used is “whether the admission would be prejudicial to efficient use of resources”). An example might be where the school had very small classrooms and couldn’t fit your child in without making the space too cramped for good teaching and learning.

If the panel does decide there was a good reason for turning down your application, it will begin the second stage of its decision making, where the panel considers your case, and why you are appealing against the decision. In your case 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. The panel then makes a “balancing judgement” and decides whether the benefit to your child of going to the school you are appealing for instead of the school you have been offered outweighs the bad effects on the school and the other children of having one more pupil in the class. If the appeal panel decides that your case is the stronger, it will uphold your appeal and the admission authority is then under a duty to admit your child to the school.

A consideration must be given to whether the admission authority acted unreasonably. The law defines “unreasonable” very carefully in these cases. For the decision to be “unreasonable” it must be completely illogical, or not based on the facts of the case. The facts of the case include the published admission arrangements, the number of applicants, the number of classrooms at the school, other factors to do with the school or the admissions authority. The facts of the case do not include facts particular to your child or any special reason you might have for wanting your child to go to that school (the convenience of the journey between your home and the school, for example).

You are free to talk about personal factors at the appeal hearing if you want to, but in this type of appeal the appeal panel cannot take them into account unless they are relevant to one or other of the two things they are allowed to look at.

If your appeal succeeds, the admission authority must offer your child a place at the school. If your appeal does not succeed, you can ask the school to put your child on its waiting list, as places sometimes become free after the start of the school year. If you are unhappy about the way the appeal hearing was carried out, you could complain to the Local Government Ombudsman, who might recommend a new appeal.