

SCHOOL ADMISSION APPEAL FORM



FOR A PLACE IN THE YEAR OF ENTRY AT A SOMERSET SCHOOL – INFANT CLASS SIZE APPEAL

(Reception, Year 1 or Year 2 where the class size is 30 or more)

1. Pupil Details:

Name	Date of Birth		Please ✓				
		Is your child –	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Male</td> <td style="width: 50%;"></td> </tr> <tr> <td>Female</td> <td></td> </tr> </table>	Male		Female	
Male							
Female							

Preferred School (A separate appeal form must be completed for each school you wish to appeal for)	Date on which place required

Pupil's current school	OR if not on roll:	Previous school	Date last on roll

Sibling Details:

Name	Date of Birth	Year Group	Please ✓			
				Current School	Or last School	

2. Applicant's Details:

Title: Mr/Mrs/Miss/Dr/Other (please circle)			Please ✓				
Parent/Carer's Name(s)	Does this child currently reside with you?		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Yes</td> <td style="width: 50%;"></td> </tr> <tr> <td>No</td> <td></td> </tr> </table>	Yes		No	
Yes							
No							
Preferred contact telephone number							
E-mail address							

Your current address:
(All correspondence will be sent to this address)

Your child's address, if different:

House Name/No:	House Name/No:
Street:	Street:
Town:	Town:
Postcode:	Postcode:
How long has your child been resident at this address?	
	Date since

Moving house? Please provide your new address below:

House Name/No:	Street:
Town:	Postcode:
If moving house, please enter 'exchange of contract' date or 'rental agreement' start date:	

Please circle

Have you approached/visited your preferred school?	Yes	No
Have you appealed for a place at this school previously?	Yes	No

3. Parent/Carer Statement

Please see notes page attached for information regarding Infant Class Size appeals.

If applicable - Please state why you believe the admission arrangements do not comply with admission law.

If applicable - Please state why you believe the admission arrangements have not been correctly and impartially applied **and why your child would have been offered a place if they had been.**

If applicable - Please state why you believe the decision to refuse admission was not reasonable **in light of the admission arrangements: that is, within the constraints of the rules.**

Please state any other information you feel is relevant to support your appeal for a school place. Please continue on a separate sheet if necessary.

Are there any dates the appeal hearing should avoid?

Are you intending to attend the appeal hearing?
(we would encourage you to do so if you can)

Please provide the name of anyone accompanying you to the hearing.

Please state the role in which the above person is attending e.g. family member, friend, legal representative, Choice Adviser, Social Worker etc.

Please help us to meet your needs by stating any requirements that you have for access into and around buildings, access to materials (e.g. print size) or access to spoken language (e.g. induction hearing loop, an interpreter).

I agree to the original school place application form and any supporting evidence submitted for the child named above to be presented to the appeal panel. Please ✓

Please note I wish to waive my right to 10 school days notice of my hearing date. Please ✓

Choice Advice can offer impartial support and advice about admission appeals, please see the enclosed leaflet. For further information regarding this service please tick. Please ✓

I hereby confirm that I am the parent/carer of this child and/or have the parent/carer's permission to complete this application form.

Signed: _____

Date: _____

COMPLETING YOUR APPEAL FORM

FOR

FOR A PLACE IN THE YEAR OF ENTRY AT A SOMERSET SCHOOL



PLEASE READ THESE NOTES BEFORE COMPLETING THE FORM

Before completing the attached Appeal Statement please read these notes thoroughly. If you remain unclear concerning the information requested, how to complete the statement, or the deadline by which your application form must be submitted, then please contact Somerset Direct on **0300 123 2224** for further help.

Your application form should be completed in English. Help is available with translation and interpretation upon request to Somerset Direct. You may complete your application form by handwriting or type. Please endeavour to complete all fields on the application form. Where a field is not relevant then please indicate this with **N/A**.

Please return your application form to the School Admissions Appeals Co-ordinator at the address below. This must be received in the office by the published appeal application deadline of **1.00pm, 20 school days from and including the date on your outcome letter**. (If sent by post, proof of posting is strongly recommended)

You are entitled to receive notice of the date of your appeal hearing 10 school days in advance of the hearing date. However, you have the right to waive this period of notice where it suits your circumstances to do so. For example, where a school holiday would otherwise delay your appeal hearing, if you waive the period of notice then it would be possible to have your appeal hearing scheduled during the holiday period. Appeal hearings are not normally scheduled during school holidays. If you wish to waive your rights to this notice period, please tick the relevant box on your application form.

Please note when completing your parental statement that new information should not be introduced at the appeal hearing. You should include with your application all the information you would like the Appeal Panel to consider. This includes any supporting information (e.g. a doctors note or evidence of a house move)

Please return your application to:

The School Admission Appeals Co-ordinator
Admissions and Entitlements Team
County Hall
Taunton
Somerset, TA1 4DY

continued

Information regarding Infant Class Size appeals.

The Local Authority are required by the School Admissions Code to inform parents of the limited circumstances in which an Infant Class Size appeal can be upheld.

The law states that there must not be more than 30 children in an infant class (that is, classes containing reception, year 1 and year 2 children). This applies even if other adults are always present, and/or some children are absent. There are a few circumstances in which an additional child or children may be classed as an 'exception' and the class size goes over 30. But if children leave and the class size returns to 30, that does not mean extra children can be admitted again.

Therefore when considering an appeal for a place in an infant class, the panel's task is to review the decision already made. **It does not have the flexibility to say that the appellants personal circumstances mean that they should have a place at the school, if this would take the number of children in the class over 30.** This makes an infant class size appeal different to other school admissions appeals.

An appeal panel can uphold the appeal if the admissions authority has made a mistake in applying the admissions criteria which means you have been wrongly denied a place. The panel can also uphold an appeal if it considers that your child would have been offered a place if the admissions arrangements had not been 'contrary to mandatory provisions in the School Admissions Code'.

A panel can uphold an appeal if it considers that the decision not to offer a place was 'perverse in light of the published admission arrangements'. Parents often complain to the Local Government Ombudsman that the panel should have upheld their appeal because the decision to refuse a place was perverse. The Local Government Ombudsman does not usually uphold the complaint, because the threshold for the decision to be perverse is extremely high in infant class size appeals.

Most applicants who have been refused a place at their preferred school consider the refusal to be perverse. But the word has a stronger meaning in its legal sense. It means 'beyond the range of responses open to a reasonable decision maker', or 'a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it'. **A decision that makes it impossible for an applicant to transport all their family to school on time, or even impossible for them to continue working, is very unlikely to be perverse. The courts have established this.**

The following will be useful when completing your form

Sibling details

Please include details of all siblings and identify any current provision at an early years setting, school, or sixth form.

Parent/Carer

The applicant must be a parent/carer of the child concerned, and have legal responsibility for the care and education of the child at the time of the appeal hearing, **or** a person who has been delegated responsibility to complete the form on behalf of a parent/carer.

Your home address

This will be the address to which all correspondence relating to your appeal hearing will be sent.

The child's home address

The home address that will be used for the preparation of technical information in connection with your appeal will be the address at which the child concerned lives, or subject to evidence will be living at the time the school place is expected to be required.

Changing address

The Appeal panel/Admission Authority will seek proof of an intended house move. Normally a solicitors letter proving 'exchange of contract' or a fixed term rental agreement for a period of six months or more will be satisfactory.

Bullying/Issues highlighted

If the grounds for your appeal include bullying/issues relating to your child's current school, you should be aware that the Headteacher will be asked to comment. This information will then be made available to the Appeal Panel at the hearing.

Person(s) accompanying

You are entitled to bring a friend or adviser along to the hearing, this can be a locally elected politician, or an employee of the local education authority such as an educational social worker, SEN adviser or learning mentor.

You may also wish to consider using the Choice Advice Service.

However this person must not be a member of the Admissions Authority or an employee of the school in question.

Supporting information

You should provide as much information as you consider appropriate to substantiate your reasons for wanting a place at a particular school. You should complete **part 3** as fully as possible and if you require additional space, continue on a separate sheet.

You may also like to consider requesting a booklet that explains the school admission appeals procedure from the School Appeal Co-ordinator.

You can also request a copy of the legal position in relation to a school admissions appeal from the School Appeal Co-ordinator.