

Admission/ Appeal Hearings

Background

The School Admissions Code (December 2014) applies to all maintained schools in England. It is the responsibility of admission authorities to ensure that admission arrangements are compliant with the Code. It should be read alongside the School Admission Appeals Code. It is the responsibility of admission authorities to ensure that admission arrangements are compliant with these codes. Where a school is the admission authority, this responsibility falls to the Governing Body or Academy Trust. The table below sets out the admission authority for each type of school in England.

Type of School	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at a school?
Academies	Academy Trust	Schools Adjudicator	Academy Trust
Community Schools	Local Authority	Schools Adjudicator	Local Authority
Foundation Schools	Governing Body	Schools Adjudicator	Governing Body
Voluntary aided schools (VA)	Governing Body	Schools Adjudicator	Governing Body
Voluntary controlled schools (VC)	Local Authority	Schools Adjudicator	Local Authority

Service Description

When an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it must include a reason why the admission was refused and provide information about the right to appeal. This could be when applying for a place for entry into reception, year 7 or for an in-year transfer request.

Should an appeal be lodged by a parent, a school will require a number of professionals to enable them to carry out this statutory process. The Local Authority can, as part of a buy-back arrangement, prepare and present appeals for Voluntary Aided, Foundation schools and Academies. These are **Democratic Services**, who will set up, arrange independent panel member attendance and minute the hearing. The **Admissions Team**, to collate and present the case on behalf of the school. **Legal Services**, provides a Solicitor to act as Clerk at the appeal hearings. The Clerk provides an independent source of advice on law and procedure, is responsible for drafting the panel's written reasons for decision which are then provided to the parties following the appeal hearing.

The Admissions Team also offers a service to assist with ranking application forms at normal intake, ie reception and year 7 and measurements (straight line and shortest safest walking route).

APPEAL CHARGES

Democratic/Legal Services/Panel Members

The cost of this service is based on average time spent on school appeals by Democratic Services Officers.

There is a fee for the organisation and servicing of an appeals hearing. For hearings for up to three children and those for more than three. The charges reflect staff costs relating to organising and clerking hearings, copying and postage.

In the event that the appeal is cancelled after the papers for the hearing have been issued to the independent panel a 50% charge will be incurred in respect of the costs and time incurred. However, if the appeal is cancelled within 24 hours of the scheduled hearing date the full payment may be incurred.

The appeal will be heard by an independent panel of three to five voluntary members of the public. At least one will have an educational background. Schools must also note that additional costs relating to Panel Members travelling expenses will be payable as will any fees for catering and venue hire, where incurred.

Costs will also be incurred for the Council's Solicitor's attendance and advice at hearings at the hourly rate as outlined in the Service Charging booklet details relating to the charging structure for legal services.

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Admissions Team

The service can provide work on behalf of the Governing Body, Academy Trust or Foundation school to assist with their statutory duties. This is work which is over and above the Local Authorities co-ordinated scheme statutory responsibilities and includes services such as:

- Issue and process appeal packs to parents, acknowledge receipt of appeal and gather paperwork to forward to Democratic Services (in order for the appeal to be set up);
- Lodged Appeals – gather information and preparation of school's case, which will be sent to the Headteacher for checks before issuing to Democratic Services by a statutory deadline;
- Single and Multiple Appeal Hearings – Assist the Headteacher or present an appeal on behalf of the Governing Body or Academy Trust.
- Ranking application forms and measurements

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A parent can appeal for a school place at any time during the academic year and potentially be refused. It is therefore difficult to determine the precise costs a school should budget for in the event of any appeals being lodged. To assist those schools that are popular and are likely to be over-subscribed, example costs for a single hearing and multiple hearings are detailed below.

Single Appeal Hearing

Service	Comments	Costs £
Democratic Services	This is a flat rate (for up to 3 appellants)	360.00
Panel Member Expenses	These costs depend on where the panel member is travelling from and could range from £70-£100	80.00
Admission Services	This is a typical cost for one hearing	225.00
Legal Services	Solicitor attendance (flat rate for up to 3 appellants)	190.00
	<i>Example total</i>	855.00

Multiple Appeals (example 9 appellants)

Service	Comments	Costs £
Democratic Services	The flat rate plus additional £50 per appellant.	660.00
Panel Member Expenses	These costs depend on where the panel member is travelling from and could range from £70-£100.	80.00
Catering Costs	Multiple appeals typically last for 1 or 2 days. Panel members are provided with lunch.	40.00
Admission Services	The flat rate plus additional £70 per appellant	785.00
Legal Services	Solicitor attendance – 3 x the flat rate	570.00
	<i>Example total</i>	2,135.00

Ranking Application Forms

Service	Comments	Costs £
Admission Services	Example costs for 60 equal preferences	300.00
	Example costs for 100 equal preferences	500.00
	Example costs for 225 equal preferences	1,125.00
	Example costs for 450 equal preferences	2,250.00

Measurements

Service	Comments	Costs £
Admission Services	Example of shortest safest walking route - 3 measurements per hour	£20
	Example of straight line measurement - 20 per hour	£20